

Xerox

108th CONGRESS
2D SESSION**H.R. 4818**

CONFERENCE REPORT

[To accompany H.R. 4818]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4818) “making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, and for other purposes”, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Consolidated Appropria-*
3 *tions Act, 2005”.*

4 **SEC. 2. TABLE OF CONTENTS.**

5 *The table of contents for this Act is as follows:*

Sec. 1. Short Title

Sec. 2. Table of Contents

Sec. 3. References

Sec. 4. Statement of Appropriations

3

*DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND
DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIA-
TIONS ACT, 2005*

Title I—Agricultural Programs

Title II—Conservation Programs

Title III—Rural Development Programs

Title IV—Domestic Food Programs

Title V—Foreign Assistance and Related Programs

Title VI—Related Agencies and Food and Drug Administration

Title VII—General Provisions

*DIVISION B—DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE,
THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT,
2005*

Title I—Department of Justice

Title II—Department of Commerce and Related Agencies

Title III—The Judiciary

Title IV—Department of State and Related Agency

Title V—Related Agencies

Title VI—General Provisions

Title VII—Rescissions

Title VIII—Patent and Trademark Fees

Title IX—Oceans and Human Health Act

*DIVISION C—ENERGY AND WATER DEVELOPMENT APPROPRIATIONS
ACT, 2005*

Title I—Department of Defense—Civil

Title II—Department of the Interior

Title III—Department of Energy

Title IV—Independent Agencies

Title V—General Provisions

Title VI—Reform of the Board of Directors of the Tennessee Valley Authority

*DIVISION D—FOREIGN OPERATIONS, EXPORT FINANCING, AND
RELATED PROGRAMS APPROPRIATIONS ACT, 2005*

Title I—Export and Investment Assistance

Title II—Bilateral Economic Assistance

Title III—Military Assistance

Title IV—Multilateral Economic Assistance

Title V—General Provisions

*DIVISION E—DEPARTMENT OF THE INTERIOR AND RELATED
AGENCIES APPROPRIATIONS ACT, 2005*

Title I—Department of the Interior

Title II—Related Agencies

Title III—General Provisions

Title IV—Urgent Wildland Fire Suppression Activities

*Title V—General Reduction**DIVISION F—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005**Title I—Department of Labor**Title II—Department of Health and Human Services**Title III—Department of Education**Title IV—Related Agencies**Title V—General Provisions**DIVISION G—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2005**Title I—Legislative Branch Appropriations**Title II—General Provisions**DIVISION H—TRANSPORTATION, TREASURY, INDEPENDENT AGENCIES, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2005**Title I—Department of Transportation**Title II—Department of the Treasury**Title III—Executive Office of the President and Funds Appropriated to the President**Title IV—Independent Agencies**Title V—General Provisions**Title VI—General Provisions**DIVISION I—DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2005**Title I—Department of Veterans Affairs**Title II—Department of Housing and Urban Development**Title III—Independent Agencies**Title IV—General Provisions**DIVISION J—OTHER MATTERS**Title I—Miscellaneous Provisions and Offsets**Title II—225th Anniversary of the American Revolution Commemoration Act**Title III—Rural Air Service Improvement Act of 2004**Title IV—L-1 Visa and H-1B Visa Reform Act**Title V—National Aviation Heritage Area Act**Title VI—Oil Region National Heritage Area Act**Title VII—Mississippi Gulf Coast National Heritage Area Act**Title VIII—Federal Lands Recreation Enhancement Act**Title IX—Satellite Home Viewer Extension and Reauthorization Act of 2004**Title X—Snake River Water Rights Act of 2004*

1 **SEC. 3. REFERENCES.**

2 *Except as expressly provided otherwise, any reference*
3 *to “this Act” contained in any division of this Act shall*
4 *be treated as referring only to the provisions of that divi-*
5 *sion.*

6 **SEC. 4. STATEMENT OF APPROPRIATIONS.**

7 *The following sums in this Act are appropriated, out*
8 *of any money in the Treasury not otherwise appropriated,*
9 *for the fiscal year ending September 30, 2005.*

*DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND
DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIA-
TIONS ACT, 2005*

1 ~~DIVISION~~

2 ~~That the following sums are appropriated, out of any~~
3 ~~money in the Treasury not otherwise appropriated, for Ag-~~
4 ~~riculture, Rural Development, Food and Drug Administra-~~
5 ~~tion, and Related Agencies programs for the fiscal year~~
6 ~~ending September 30, 2005, and for other purposes,~~
7 ~~namely:~~

8 TITLE I

9 AGRICULTURAL PROGRAMS

10 PRODUCTION, PROCESSING, AND MARKETING

11 : OFFICE OF THE SECRETARY

12 For necessary expenses of the Office of the Secretary
13 of Agriculture, \$5,124,000: *Provided*, That not to exceed
14 \$11,000 of this amount shall be available for official recep-
15 tion and representation expenses, not otherwise provided
16 for, as determined by the Secretary.

17 EXECUTIVE OPERATIONS

18 CHIEF ECONOMIST

19 For necessary expenses of the Chief Economist, in-
20 cluding economic analysis, risk assessment, cost-benefit
21 analysis, energy and new uses, and the functions of the
22 World Agricultural Outlook Board, as authorized by the
23 Agricultural Marketing Act of 1946 (7 U.S.C. 1622g),
24 \$10,317,000.

1 NATIONAL APPEALS DIVISION

2 For necessary expenses of the National Appeals Divi-
3 sion, \$14,331,000.

4 OFFICE OF BUDGET AND PROGRAM ANALYSIS

5 For necessary expenses of the Office of Budget and
6 Program Analysis, \$8,228,000.

7 HOMELAND SECURITY STAFF

8 For necessary expenses of the Homeland Security
9 Staff, \$775,000.

10 OFFICE OF THE CHIEF INFORMATION OFFICER

11 For necessary expenses of the Office of the Chief In-
12 formation Officer, \$16,595,000.

13 COMMON COMPUTING ENVIRONMENT

14 For necessary expenses to acquire a Common Com-
15 puting Environment for the Natural Resources Conserva-
16 tion Service, the Farm and Foreign Agricultural Service,
17 and Rural Development mission areas for information
18 technology, systems, and services, \$125,585,000, to re-
19 main available until expended, for the capital asset acqui-
20 sition of shared information technology systems, including
21 services as authorized by 7 U.S.C. 6915-16 and 40 U.S.C.
22 1421-28: *Provided*, That obligation of these funds shall
23 be consistent with the Department of Agriculture Service
24 Center Modernization Plan of the county-based agencies,
25 and shall be with the concurrence of the Department's
26 Chief Information Officer.

1 OFFICE OF THE CHIEF FINANCIAL OFFICER

2 For necessary expenses of the Office of the Chief Fi-
3 nancial Officer, \$5,742,000: *Provided*, That the Chief Fi-
4 nancial Officer shall actively market and expand cross-
5 servicing activities of the National Finance Center: *Pro-*
6 *vided further*, That no funds made available by this appro-
7 priation may be obligated for FAIR Act or Circular A-
8 76 activities until the Secretary has submitted to the Com-
9 mittees on Appropriations of both Houses of Congress and
10 the Committee on Government Reform of the House of
11 Representatives a report on the Department's contracting
12 out policies, including agency budgets for contracting out.

13 WORKING CAPITAL FUND

14 For the acquisition of disaster recovery and con-
15 tinuity of operations technology of the National Finance
16 Center's data, \$12,850,000, to remain available until ex-
17 pended.

18 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

19 RIGHTS

20 For necessary salaries and expenses of the Office of
21 the Assistant Secretary for Civil Rights, \$818,000.

22 OFFICE OF CIVIL RIGHTS

23 For necessary expenses of the Office of Civil Rights,
24 \$19,889,000.

1 OFFICE OF THE ASSISTANT SECRETARY FOR
2 ADMINISTRATION

3 For necessary salaries and expenses of the Office of
4 the Assistant Secretary for Administration, \$669,000.

5 AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL
6 PAYMENTS

7 (INCLUDING TRANSFERS OF FUNDS)

8 For payment of space rental and related costs pursu-
9 ant to Public Law 92-313, including authorities pursuant
10 to the 1984 delegation of authority from the Adminis-
11 trator of General Services to the Department of Agri-
12 culture under 40 U.S.C. 486, for programs and activities
13 of the Department which are included in this Act, and for
14 alterations and other actions needed for the Department
15 and its agencies to consolidate unneeded space into con-
16 figurations suitable for release to the Administrator of
17 General Services, and for the operation, maintenance, im-
18 provement, and repair of Agriculture buildings and facili-
19 ties, and for related costs, \$163,870,000, to remain avail-
20 able until expended: *Provided*, That not to exceed 5 per-
21 cent of amounts which are made available for space rental
22 and related costs for the Department of Agriculture in this
23 Act may be transferred between such appropriations to
24 cover the costs of new or replacement space 15 days after

1 notice thereof is transmitted to the Appropriations Com-
2 mittees of both Houses of Congress.

3 HAZARDOUS MATERIALS MANAGEMENT

4 (INCLUDING TRANSFERS OF FUNDS)

5 For necessary expenses of the Department of Agri-
6 culture, to comply with the Comprehensive Environmental
7 Response, Compensation, and Liability Act (42 U.S.C.
8 9601 et seq.) and the Resource Conservation and Recovery
9 Act (42 U.S.C. 6901 et seq.), \$15,532,000, to remain
10 available until expended: *Provided*, That appropriations
11 and funds available herein to the Department for Haz-
12 ardous Materials Management may be transferred to any
13 agency of the Department for its use in meeting all re-
14 quirements pursuant to the above Acts on Federal and
15 non-Federal lands.

16 DEPARTMENTAL ADMINISTRATION

17 (INCLUDING TRANSFERS OF FUNDS)

18 For Departmental Administration, \$22,626,000, to
19 provide for necessary expenses for management support
20 services to offices of the Department and for general ad-
21 ministration, security, repairs and alterations, and other
22 miscellaneous supplies and expenses not otherwise pro-
23 vided for and necessary for the practical and efficient work
24 of the Department: *Provided*, That this appropriation shall
25 be reimbursed from applicable appropriations in this Act

1 for travel expenses incident to the holding of hearings as
2 required by 5 U.S.C. 551-558.

3 OFFICE OF THE ASSISTANT SECRETARY FOR
4 CONGRESSIONAL RELATIONS
5 (INCLUDING TRANSFERS OF FUNDS)

6 For necessary salaries and expenses of the Office of
7 the Assistant Secretary for Congressional Relations to
8 carry out the programs funded by this Act, including pro-
9 grams involving intergovernmental affairs and liaison
10 within the executive branch, \$3,852,000: *Provided*, That
11 these funds may be transferred to agencies of the Depart-
12 ment of Agriculture funded by this Act to maintain per-
13 sonnel at the agency level: *Provided further*, That no funds
14 made available by this appropriation may be obligated
15 after 30 days from the date of enactment of this Act, un-
16 less the Secretary has notified the Committees on Appro-
17 priations of both Houses of Congress on the allocation of
18 these funds by USDA agency: *Provided further*, That no
19 other funds appropriated to the Department by this Act
20 shall be available to the Department for support of activi-
21 ties of congressional relations.

22 OFFICE OF COMMUNICATIONS

23 For necessary expenses to carry out services relating
24 to the coordination of programs involving public affairs,
25 for the dissemination of agricultural information, and the

1 coordination of information, work, and programs author-
2 ized by Congress in the Department, \$9,365,000: *Pro-*
3 *vided*, That not to exceed \$2,000,000 may be used for
4 farmers' bulletins.

5 OFFICE OF THE INSPECTOR GENERAL

6 For necessary expenses of the Office of the Inspector
7 General, including employment pursuant to the Inspector
8 General Act of 1978, \$78,289,000, including such sums
9 as may be necessary for contracting and other arrange-
10 ments with public agencies and private persons pursuant
11 to section 6(a)(9) of the Inspector General Act of 1978,
12 and including not to exceed \$125,000 for certain confiden-
13 tial operational expenses, including the payment of inform-
14 ants, to be expended under the direction of the Inspector
15 General pursuant to Public Law 95-452 and section 1337
16 of Public Law 97-98.

17 OFFICE OF THE GENERAL COUNSEL

18 For necessary expenses of the Office of the General
19 Counsel, \$35,861,000.

20 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,

21 EDUCATION AND ECONOMICS

22 For necessary salaries and expenses of the Office of
23 the Under Secretary for Research, Education and Eco-
24 nomics to administer the laws enacted by the Congress
25 for the Economic Research Service, the National Agricul-

1 tural Statistics Service, the Agricultural Research Service,
2 and the Cooperative State Research, Education, and Ex-
3 tension Service, \$592,000.

4 ECONOMIC RESEARCH SERVICE

5 For necessary expenses of the Economic Research
6 Service in conducting economic research and analysis, as
7 authorized by the Agricultural Marketing Act of 1946 (7
8 U.S.C. 1621-1627) and other laws, \$74,768,000.

9 NATIONAL AGRICULTURAL STATISTICS SERVICE

10 For necessary expenses of the National Agricultural
11 Statistics Service in conducting statistical reporting and
12 service work, including crop and livestock estimates, sta-
13 tistical coordination and improvements, marketing sur-
14 veys, and the Census of Agriculture, as authorized by 7
15 U.S.C. 1621-1627 and 2204g, and other laws,
16 \$129,480,000, of which up to \$22,405,000 shall be avail-
17 able until expended for the Census of Agriculture.

18 AGRICULTURAL RESEARCH SERVICE

19 SALARIES AND EXPENSES

20 For necessary expenses to enable the Agricultural Re-
21 search Service to perform agricultural research and dem-
22 onstration relating to production, utilization, marketing,
23 and distribution (not otherwise provided for); home eco-
24 nomics or nutrition and consumer use including the acqui-
25 sition, preservation, and dissemination of agricultural in-

1 formation; and for acquisition of lands by donation, ex-
2 change, or purchase at a nominal cost not to exceed \$100,
3 and for land exchanges where the lands exchanged shall
4 be of equal value or shall be equalized by a payment of
5 money to the grantor which shall not exceed 25 percent
6 of the total value of the land or interests transferred out
7 of Federal ownership, \$1,110,887,000: *Provided*, That ap-
8 propriations hereunder shall be available for the operation
9 and maintenance of aircraft and the purchase of not to
10 exceed one for replacement only: *Provided further*, That
11 appropriations hereunder shall be available pursuant to 7
12 U.S.C. 2250 for the construction, alteration, and repair
13 of buildings and improvements, but unless otherwise pro-
14 vided, the cost of constructing any one building shall not
15 exceed \$375,000, except for headhouses or greenhouses
16 which shall each be limited to \$1,200,000, and except for
17 10 buildings to be constructed or improved at a cost not
18 to exceed \$750,000 each, and the cost of altering any one
19 building during the fiscal year shall not exceed 10 percent
20 of the current replacement value of the building or
21 \$375,000, whichever is greater: *Provided further*, That the
22 limitations on alterations contained in this Act shall not
23 apply to modernization or replacement of existing facilities
24 at Beltsville, Maryland: *Provided further*, That appropria-
25 tions hereunder shall be available for granting easements

1 at the Beltsville Agricultural Research Center: *Provided*
2 *further*, That the foregoing limitations shall not apply to
3 replacement of buildings needed to carry out the Act of
4 April 24, 1948 (21 U.S.C. 113a): *Provided further*, That
5 funds may be received from any State, other political sub-
6 division, organization, or individual for the purpose of es-
7 tablishing or operating any research facility or research
8 project of the Agricultural Research Service, as authorized
9 by law: *Provided further*, That all rights and title of the
10 United States in the 1.0664-acre parcel of land including
11 improvements, as recorded at Book 1320, Page 253,
12 records of Larimer County, State of Colorado, shall be
13 conveyed to the Board of Governors of the Colorado State
14 University for the benefit of Colorado State University.

15 None of the funds appropriated under this heading
16 shall be available to carry out research related to the pro-
17 duction, processing or marketing of tobacco or tobacco
18 products.

19 BUILDINGS AND FACILITIES

20 For acquisition of land, construction, repair, improve-
21 ment, extension, alteration, and purchase of fixed equip-
22 ment or facilities as necessary to carry out the agricultural
23 research programs of the Department of Agriculture,
24 where not otherwise provided, \$187,838,000, to remain
25 available until expended.

1 COOPERATIVE STATE RESEARCH, EDUCATION, AND
2 EXTENSION SERVICE
3 RESEARCH AND EDUCATION ACTIVITIES

4 For payments to agricultural experiment stations, for
5 cooperative forestry and other research, for facilities, and
6 for other expenses, ~~\$659,781,000~~, as follows: to carry out ^{\$660,781,000}
7 the provisions of the Hatch Act of 1887 (7 U.S.C. 361a-
8 i), \$180,148,000; for grants for cooperative forestry re-
9 search (16 U.S.C. 582a through a-7), \$22,384,000; for
10 payments to the 1890 land-grant colleges, including
11 Tuskegee University and West Virginia State University
12 (7 U.S.C. 3222), \$37,000,000, of which \$1,507,496 shall
13 be made available only for the purpose of ensuring that
14 each institution shall receive no less than \$1,000,000; for
15 special grants for agricultural research (7 U.S.C. 450i(c)),
16 ~~\$120,670,000~~; for special grants for agricultural research ^{\$121,284,000}
17 on improved pest control (7 U.S.C. 450i(c)), \$15,280,000;
18 for competitive research grants (7 U.S.C. 450i(b)),
19 \$181,000,000; for the support of animal health and dis-
20 ease programs (7 U.S.C. 3195), \$5,098,000; for supple-
21 mental and alternative crops and products (7 U.S.C.
22 3319d), \$1,196,000; for grants for research pursuant to
23 the Critical Agricultural Materials Act (7 U.S.C. 178 et
24 seq.), \$1,111,000, to remain available until expended; for
25 the 1994 research grants program for 1994 institutions

1 pursuant to section 536 of Public Law 103–382 (7 U.S.C.
2 301 note), \$1,087,000, to remain available until expended;
3 for rangeland research grants (7 U.S.C. 3333),
4 \$1,000,000; for higher education graduate fellowship
5 grants (7 U.S.C. 3152(b)(6)), \$3,000,000, to remain
6 available until expended (7 U.S.C. 2209b); for higher edu-
7 cation challenge grants (7 U.S.C. 3152(b)(1)),
8 \$5,500,000; for a higher education multicultural scholars
9 program (7 U.S.C. 3152(b)(5)), \$998,000, to remain
10 available until expended (7 U.S.C. 2209b); for an edu-
11 cation grants program for Hispanic-serving Institutions (7
12 U.S.C. 3241), \$5,645,000; for noncompetitive grants for
13 the purpose of carrying out all provisions of 7 U.S.C. 3242
14 (section 759 of Public Law 106–78) to individual eligible
15 institutions or consortia of eligible institutions in Alaska
16 and in Hawaii, with funds awarded equally to each of the
17 States of Alaska and Hawaii, \$3,500,000; for a secondary
18 agriculture education program and 2-year post-secondary
19 education (7 U.S.C. 3152(j)), \$1,000,000; for aquaculture
20 grants (7 U.S.C. 3322), \$4,000,000; for sustainable agri-
21 culture research and education (7 U.S.C. 5811),
22 \$12,500,000; for a program of capacity building grants
23 (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds
24 under the Act of August 30, 1890 (7 U.S.C. 321–326 and
25 328), including Tuskegee University and West Virginia

1 State University, \$12,411,000, to remain available until
 2 expended (7 U.S.C. 2209b); for payments to the 1994 In-
 3 stitutions pursuant to section 534(a)(1) of Public Law
 4 103-382, \$2,250,000; for resident instruction grants for
 5 insular areas under section 1491 of the National Agricul-
 6 tural Research, Extension, and Teaching Policy Act of
 7 1977 (7 U.S.C. 3363), \$500,000; and for necessary ex-
 8 penses of Research and Education Activities,
 9 ~~\$42,503,000.~~ \$42,889,000

10 None of the funds appropriated under this heading
 11 shall be available to carry out research related to the pro-
 12 duction, processing, or marketing of tobacco or tobacco
 13 products: *Provided*, That this paragraph shall not apply
 14 to research on the medical, biotechnological, food, and in-
 15 dustrial uses of tobacco.

16 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

17 For the Native American Institutions Endowment
 18 Fund authorized by Public Law 103-382 (7 U.S.C. 301
 19 note), \$12,000,000.

20 EXTENSION ACTIVITIES

21 For payments to States, the District of Columbia,
 22 Puerto Rico, Guam, the Virgin Islands, Micronesia,
 23 Northern Marianas, and American Samoa, \$449,225,000,
 24 as follows: payments for cooperative extension work under
 25 the Smith-Lever Act, to be distributed under sections 3(b)
 26 and 3(c) of said Act, and under section 208(c) of Public

1 Law 93-471, for retirement and employees' compensation
2 costs for extension agents, \$277,742,000; payments for
3 extension work at the 1994 Institutions under the Smith-
4 Lever Act (7 U.S.C. 343(b)(3)), \$3,273,000; payments for
5 the nutrition and family education program for low-income
6 areas under section 3(d) of the Act, \$58,909,000; pay-
7 ments for the pest management program under section
8 3(d) of the Act, \$10,000,000; payments for the farm safe-
9 ty program under section 3(d) of the Act, \$4,600,000;
10 payments to upgrade research, extension, and teaching fa-
11 cilities at the 1890 land-grant colleges, including Tuskegee
12 University and West Virginia State University, as author-
13 ized by section 1447 of Public Law 95-113 (7 U.S.C.
14 3222b), \$16,912,000, to remain available until expended;
15 payments for youth-at-risk programs under section 3(d)
16 of the Smith-Lever Act, \$7,538,000; for youth farm safety
17 education and certification extension grants, to be award-
18 ed competitively under section 3(d) of the Act, \$444,000;
19 payments for carrying out the provisions of the Renewable
20 Resources Extension Act of 1978 (16 U.S.C. 1671 et
21 seq.), \$4,093,000; payments for Indian reservation agents
22 under section 3(d) of the Smith-Lever Act, \$1,774,000;
23 payments for sustainable agriculture programs under sec-
24 tion 3(d) of the Act, \$4,100,000; payments for rural
25 health and safety education as authorized by section

1 502(i) of Public Law 92-419 (7 U.S.C. 2662(i)),
2 \$1,981,000; payments for cooperative extension work by
3 the colleges receiving the benefits of the second Morrill
4 Act (7 U.S.C. 321-326 and 328) and Tuskegee University
5 and West Virginia State University, \$33,133,000, of
6 which \$1,724,884 shall be made available only for the pur-
7 pose of ensuring that each institution shall receive no less
8 than \$1,000,000; for grants to youth organizations pursu-
9 ant to section 7630 of title 7, United States Code,
10 \$2,667,000; and for necessary expenses of Extension Ac-
11 tivities, \$22,059,000.

12 INTEGRATED ACTIVITIES

13 For the integrated research, education, and extension
14 grants programs, including necessary administrative ex-
15 penses, \$55,153,000, as follows: for competitive grants
16 programs authorized under section 406 of the Agricultural
17 Research, Extension, and Education Reform Act of 1998
18 (7 U.S.C. 7626), \$43,058,000, including \$12,971,000 for
19 the water quality program, \$14,967,000 for the food safe-
20 ty program, \$4,200,000 for the regional pest management
21 centers program, \$4,500,000 for the Food Quality Protec-
22 tion Act risk mitigation program for major food crop sys-
23 tems, \$1,400,000 for the crops affected by Food Quality
24 Protection Act implementation, \$3,131,000 for the methyl
25 bromide transition program, and \$1,889,000 for the or-
26 ganic transition program; for a competitive international

1 science and education grants program authorized under
2 section 1459A of the National Agricultural Research, Ex-
3 tension, and Teaching Policy Act of 1977 (7 U.S.C.
4 3292b), to remain available until expended, \$1,000,000;
5 for grants programs authorized under section 2(c)(1)(B)
6 of Public Law 89-106, as amended, \$750,000, to remain
7 available until September 30, 2006 for the critical issues
8 program, and \$1,345,000 for the regional rural develop-
9 ment centers program; and \$9,000,000 for the homeland
10 security program authorized under section 1484 of the
11 National Agricultural Research, Extension, and Teaching
12 Act of 1977, to remain available until September 30,
13 2006.

14 OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

15 For grants and contracts pursuant to section 2501
16 of the Food, Agriculture, Conservation, and Trade Act of
17 1990 (7 U.S.C. 2279), \$5,935,000, to remain available
18 until expended.

19 OFFICE OF THE UNDER SECRETARY FOR MARKETING

20 AND REGULATORY PROGRAMS

21 For necessary salaries and expenses of the Office of
22 the Under Secretary for Marketing and Regulatory Pro-
23 grams to administer programs under the laws enacted by
24 the Congress for the Animal and Plant Health Inspection
25 Service; the Agricultural Marketing Service; and the Grain

1 Inspection, Packers and Stockyards Administration;
2 \$721,000.

3 ANIMAL AND PLANT HEALTH INSPECTION SERVICE

4 SALARIES AND EXPENSES

5 (INCLUDING TRANSFERS OF FUNDS)

6 For expenses, not otherwise provided for, necessary
7 to prevent, control, and eradicate pests and plant and ani-
8 mal diseases; to carry out inspection, quarantine, and reg-
9 ulatory activities; and to protect the environment, as au-
10 thorized by law, ~~\$829,623,000~~, of which \$4,119,000 shall ^{\$814,623,000}
11 be available for the control of outbreaks of insects, plant
12 diseases, animal diseases and for control of pest animals
13 and birds to the extent necessary to meet emergency con-
14 ditions; of which \$47,500,000 shall be used for the boll
15 weevil eradication program for cost share purposes or for
16 debt retirement for active eradication zones; of which
17 \$33,197,000 shall be available for a National Animal
18 Identification program: *Provided*, That no funds shall be
19 used to formulate or administer a brucellosis eradication
20 program for the current fiscal year that does not require
21 minimum matching by the States of at least 40 percent:
22 *Provided further*, That this appropriation shall be available
23 for the operation and maintenance of aircraft and the pur-
24 chase of not to exceed four, of which two shall be for re-
25 placement only: *Provided further*, That, in addition, in
26 emergencies which threaten any segment of the agricul-

1 tural production industry of this country, the Secretary
2 may transfer from other appropriations or funds available
3 to the agencies or corporations of the Department such
4 sums as may be deemed necessary, to be available only
5 in such emergencies for the arrest and eradication of con-
6 tagious or infectious disease or pests of animals, poultry,
7 or plants, and for expenses in accordance with sections
8 10411 and 10417 of the Animal Health Protection Act
9 (7 U.S.C. 8310 and 8316) and sections 431 and 442 of
10 the Plant Protection Act (7 U.S.C. 7751 and 7772), and
11 any unexpended balances of funds transferred for such
12 emergency purposes in the preceding fiscal year shall be
13 merged with such transferred amounts: *Provided further*,
14 That appropriations hereunder shall be available pursuant
15 to law (7 U.S.C. 2250) for the repair and alteration of
16 leased buildings and improvements, but unless otherwise
17 provided the cost of altering any one building during the
18 fiscal year shall not exceed 10 percent of the current re-
19 placement value of the building: *Provided further*, That no
20 funds shall be used to implement a national animal identi-
21 fication system prior to notification to the Committees on
22 Appropriations which shall include a detailed explanation
23 of the components of such system.

24 In fiscal year 2005, the agency is authorized to collect
25 fees to cover the total costs of providing technical assist-

1 ance, goods, or services requested by States, other political
2 subdivisions, domestic and international organizations,
3 foreign governments, or individuals, provided that such
4 fees are structured such that any entity's liability for such
5 fees is reasonably based on the technical assistance, goods,
6 or services provided to the entity by the agency, and such
7 fees shall be credited to this account, to remain available
8 until expended, without further appropriation, for pro-
9 viding such assistance, goods, or services.

10 BUILDINGS AND FACILITIES

11 For plans, construction, repair, preventive mainte-
12 nance, environmental support, improvement, extension, al-
13 teration, and purchase of fixed equipment or facilities, as
14 authorized by 7 U.S.C. 2250, and acquisition of land as
15 authorized by 7 U.S.C. 428a, \$4,967,000, to remain avail-
16 able until expended.

17 AGRICULTURAL MARKETING SERVICE

18 MARKETING SERVICES

19 For necessary expenses to carry out services related
20 to consumer protection, agricultural marketing and dis-
21 tribution, transportation, and regulatory programs, as au-
22 thorized by law, and for administration and coordination
23 of payments to States, \$75,698,000, including funds for
24 the wholesale market development program for the design
25 and development of wholesale and farmer market facilities
26 for the major metropolitan areas of the country: *Provided,*

1 That this appropriation shall be available pursuant to law
2 (7 U.S.C. 2250) for the alteration and repair of buildings
3 and improvements, but the cost of altering any one build-
4 ing during the fiscal year shall not exceed 10 percent of
5 the current replacement value of the building.

6 Fees may be collected for the cost of standardization
7 activities, as established by regulation pursuant to law (31
8 U.S.C. 9701).

9 LIMITATION ON ADMINISTRATIVE EXPENSES

10 Not to exceed \$64,459,000 (from fees collected) shall
11 be obligated during the current fiscal year for administra-
12 tive expenses: *Provided*, That if crop size is understated
13 and/or other uncontrollable events occur, the agency may
14 exceed this limitation by up to 10 percent with notification
15 to the Committees on Appropriations of both Houses of
16 Congress.

17 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND

18 SUPPLY (SECTION 32)

19 (INCLUDING TRANSFERS OF FUNDS)

20 Funds available under section 32 of the Act of Au-
21 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
22 modity program expenses as authorized therein, and other
23 related operating expenses, except for: (1) transfers to the
24 Department of Commerce as authorized by the Fish and
25 Wildlife Act of August 8, 1956; (2) transfers otherwise
26 provided in this Act; and (3) not more than \$15,800,000

1 for formulation and administration of marketing agree-
2 ments and orders pursuant to the Agricultural Marketing
3 Agreement Act of 1937 and the Agricultural Act of 1961.

4 PAYMENTS TO STATES AND POSSESSIONS

5 For payments to departments of agriculture, bureaus
6 and departments of markets, and similar agencies for
7 marketing activities under section 204(b) of the Agricul-
8 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
9 \$3,847,000, of which not less than \$2,500,000 shall be
10 used to make a grant under this heading.

11 GRAIN INSPECTION, PACKERS AND STOCKYARDS

12 ADMINISTRATION

13 SALARIES AND EXPENSES

14 For necessary expenses to carry out the provisions
15 of the United States Grain Standards Act, for the admin-
16 istration of the Packers and Stockyards Act, for certifying
17 procedures used to protect purchasers of farm products,
18 and the standardization activities related to grain under
19 the Agricultural Marketing Act of 1946, \$37,299,000:
20 *Provided*, That this appropriation shall be available pursu-
21 ant to law (7 U.S.C. 2250) for the alteration and repair
22 of buildings and improvements, but the cost of altering
23 any one building during the fiscal year shall not exceed
24 10 percent of the current replacement value of the build-
25 ing.

1 LIMITATION ON INSPECTION AND WEIGHING SERVICES

2 EXPENSES

3 Not to exceed \$42,463,000 (from fees collected) shall
4 be obligated during the current fiscal year for inspection
5 and weighing services: *Provided*, That if grain export ac-
6 tivities require additional supervision and oversight, or
7 other uncontrollable factors occur, this limitation may be
8 exceeded by up to 10 percent with notification to the Com-
9 mittees on Appropriations of both Houses of Congress.

10 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

11 For necessary salaries and expenses of the Office of
12 the Under Secretary for Food Safety to administer the
13 laws enacted by the Congress for the Food Safety and In-
14 spection Service, \$595,000.

15 FOOD SAFETY AND INSPECTION SERVICE

16 For necessary expenses to carry out services author-
17 ized by the Federal Meat Inspection Act, the Poultry
18 Products Inspection Act, and the Egg Products Inspection
19 Act, including not to exceed \$50,000 for representation
20 allowances and for expenses pursuant to section 8 of the
21 Act approved August 3, 1956 (7 U.S.C. 1766),
22 \$823,760,000, of which no less than \$742,305,000 shall
23 be available for Federal food safety inspection; and in ad-
24 dition, \$1,000,000 may be credited to this account from
25 fees collected for the cost of laboratory accreditation as

1 authorized by section 1327 of the Food, Agriculture, Con-
 2 servation and Trade Act of 1990 (7 U.S.C. 138f): *Pro-*
 3 *vided*, That no fewer than 63 full time equivalent positions
 4 above the fiscal year 2002 level shall be employed during
 5 fiscal year 2005 for purposes dedicated solely to inspec-
 6 tions and enforcement related to the Humane Methods of
 7 Slaughter Act: *Provided further*, That of the amount avail-
 8 able under this heading, \$3,000,000, available until Sep-
 9 tember 30, 2006, shall be obligated to include the Humane
 10 Animal Tracking System as part of the Field Automation
 11 and Information Management System following notifica-
 12 tion to the Committees on Appropriations, which shall in-
 13 clude a detailed explanation of the components of such
 14 system: *Provided further*, That this appropriation shall be
 15 available pursuant to law (7 U.S.C. 2250) for the alter-
 16 ation and repair of buildings and improvements, but the
 17 cost of altering any one building during the fiscal year
 18 shall not exceed 10 percent of the current replacement
 19 value of the building.

{ not withstanding
 section 704
 of this Act,

insert
 23a

20 OFFICE OF THE UNDER SECRETARY FOR FARM AND
 21 FOREIGN AGRICULTURAL SERVICES

22 For necessary salaries and expenses of the Office of
 23 the Under Secretary for Farm and Foreign Agricultural
 24 Services to administer the laws enacted by Congress for
 25 the Farm Service Agency, the Foreign Agricultural Serv-

Provided further, ^T that of the total amount made available under this heading, no less than \$20,653,000 shall be obligated for regulatory and scientific training:

23a

1 ice, the Risk Management Agency, and the Commodity
2 Credit Corporation, \$631,000.

3 FARM SERVICE AGENCY

4 SALARIES AND EXPENSES

5 (INCLUDING TRANSFERS OF FUNDS)

6 For necessary expenses for carrying out the adminis-
7 tration and implementation of programs administered by
8 the Farm Service Agency, \$1,007,597,000: *Provided*, That
9 the Secretary is authorized to use the services, facilities,
10 and authorities (but not the funds) of the Commodity
11 Credit Corporation to make program payments for all pro-
12 grams administered by the Agency: *Provided further*, That
13 other funds made available to the Agency for authorized
14 activities may be advanced to and merged with this ac-
15 count.

16 STATE MEDIATION GRANTS

17 For grants pursuant to section 502(b) of the Agricul-
18 tural Credit Act of 1987, as amended (7 U.S.C. 5101-
19 5106), \$4,000,000.

20 DAIRY INDEMNITY PROGRAM

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses involved in making indemnity
23 payments to dairy farmers and manufacturers of dairy
24 products under a dairy indemnity program, \$100,000, to
25 remain available until expended: *Provided*, That such pro-
26 gram is carried out by the Secretary in the same manner

1 as the dairy indemnity program described in the Agri-
2 culture, Rural Development, Food and Drug Administra-
3 tion, and Related Agencies Appropriations Act, 2001
4 (Public Law 106-387, 114 Stat. 1549A-12).

5 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

6 ACCOUNT

7 (INCLUDING TRANSFERS OF FUNDS)

8 For gross obligations for the principal amount of di-
9 rect and guaranteed farm ownership (7 U.S.C. 1922 et
10 seq.) and operating (7 U.S.C. 1941 et seq.) loans, Indian
11 tribe land acquisition loans (25 U.S.C. 488), and boll wee-
12 vil loans (7 U.S.C. 1989), to be available from funds in
13 the Agricultural Credit Insurance Fund, as follows: farm
14 ownership loans, \$1,610,000,000, of which
15 \$1,400,000,000 shall be for guaranteed loans and
16 \$210,000,000 shall be for direct loans; operating loans,
17 \$2,035,000,000, of which \$1,100,000,000 shall be for un-
18 subsidized guaranteed loans, \$285,000,000 shall be for
19 subsidized guaranteed loans and \$650,000,000 shall be for
20 direct loans; Indian tribe land acquisition loans,
21 \$2,000,000; and for boll weevil eradication program loans,
22 \$100,000,000: *Provided*, That the Secretary shall deem
23 the pink bollworm to be a boll weevil for the purpose of
24 boll weevil eradication program loans.

25 For the cost of direct and guaranteed loans, including
26 the cost of modifying loans as defined in section 502 of

1 the Congressional Budget Act of 1974, as follows: farm
2 ownership loans, \$18,655,000, of which \$7,420,000 shall
3 be for guaranteed loans, and \$11,235,000 shall be for di-
4 rect loans; operating loans, \$139,049,000, of which
5 \$35,530,000 shall be for unsubsidized guaranteed loans,
6 \$37,934,000 shall be for subsidized guaranteed loans, and
7 \$65,585,000 shall be for direct loans; and Indian tribe
8 land acquisition loans, \$105,000.

9 In addition, for administrative expenses necessary to
10 carry out the direct and guaranteed loan programs,
11 \$301,764,000, of which \$293,764,000 shall be transferred
12 to and merged with the appropriation for "Farm Service
13 Agency, Salaries and Expenses".

14 Funds appropriated by this Act to the Agricultural
15 Credit Insurance Program Account for farm ownership
16 and operating direct loans and guaranteed loans may be
17 transferred among these programs: *Provided*, That the
18 Committees on Appropriations of both Houses of Congress
19 are notified at least 15 days in advance of any transfer.

20 RISK MANAGEMENT AGENCY

21 For administrative and operating expenses, as au-
22 thorized by section 226A of the Department of Agriculture
23 Reorganization Act of 1994 (7 U.S.C. 6933),
24 \$72,044,000: *Provided*, That not to exceed \$1,000 shall

1 be available for official reception and representation ex-
2 penses, as authorized by 7 U.S.C. 1506(i).

3 CORPORATIONS

4 The following corporations and agencies are hereby
5 authorized to make expenditures, within the limits of
6 funds and borrowing authority available to each such cor-
7 poration or agency and in accord with law, and to make
8 contracts and commitments without regard to fiscal year
9 limitations as provided by section 104 of the Government
10 Corporation Control Act as may be necessary in carrying
11 out the programs set forth in the budget for the current
12 fiscal year for such corporation or agency, except as here-
13 inafter provided.

14 FEDERAL CROP INSURANCE CORPORATION FUND

15 For payments as authorized by section 516 of the
16 Federal Crop Insurance Act (7 U.S.C. 1516), such sums
17 as may be necessary, to remain available until expended.

18 COMMODITY CREDIT CORPORATION FUND

19 REIMBURSEMENT FOR NET REALIZED LOSSES

20 For the current fiscal year, such sums as may be nec-
21 essary to reimburse the Commodity Credit Corporation for
22 net realized losses sustained, but not previously reim-
23 bursed, pursuant to section 2 of the Act of August 17,
24 1961 (15 U.S.C. 713a-11): *Provided*, That of the funds
25 available to the Commodity Credit Corporation under sec-

tion 11 of the Commodity Credit Corporation Charter Act (15 U.S.C 714i) for the conduct of its business with the Foreign Agricultural Service, up to \$5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than \$5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Resource Conservation and Recovery Act (42 U.S.C. 6961).

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL

RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, \$741,000.

1 NATURAL RESOURCES CONSERVATION SERVICE

2 CONSERVATION OPERATIONS

3 For necessary expenses for carrying out the provi-
4 sions of the Act of April 27, 1935 (16 U.S.C. 590a-f),
5 including preparation of conservation plans and establish-
6 ment of measures to conserve soil and water (including
7 farm irrigation and land drainage and such special meas-
8 ures for soil and water management as may be necessary
9 to prevent floods and the siltation of reservoirs and to con-
10 trol agricultural related pollutants); operation of conserva-
11 tion plant materials centers; classification and mapping of
12 soil; dissemination of information; acquisition of lands,
13 water, and interests therein for use in the plant materials
14 program by donation, exchange, or purchase at a nominal
15 cost not to exceed \$100 pursuant to the Act of August
16 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-
17 ation or improvement of permanent and temporary build-
18 ings; and operation and maintenance of aircraft,
19 \$837,360,000, to remain available until June 30, 2006,
20 of which not less than \$10,500,000 is for snow survey and
21 water forecasting, and not less than \$14,433,000 is for
22 operation and establishment of the plant materials cen-
23 ters, and of which not less than \$23,500,000 shall be for
24 the grazing lands conservation initiative: *Provided*, That
25 appropriations hereunder shall be available pursuant to 7

1 U.S.C. 2250 for construction and improvement of build-
2 ings and public improvements at plant materials centers,
3 except that the cost of alterations and improvements to
4 other buildings and other public improvements shall not
5 exceed \$250,000: *Provided further*, That when buildings
6 or other structures are erected on non-Federal land, that
7 the right to use such land is obtained as provided in 7
8 U.S.C. 2250a: *Provided further*, That this appropriation
9 shall be available for technical assistance and related ex-
10 penses to carry out programs authorized by section 202(c)
11 of title II of the Colorado River Basin Salinity Control
12 Act of 1974 (43 U.S.C. 1592(c)): *Provided further*, That
13 qualified local engineers may be temporarily employed at
14 per diem rates to perform the technical planning work of
15 the Service: *Provided further*, That none of the funds made
16 available under this paragraph by this or any other appro-
17 priations Act may be used to provide technical assistance
18 with respect to programs listed in section 1241(a) of the
19 Food Security Act of 1985 (16 U.S.C. 3841(a)).

20 WATERSHED SURVEYS AND PLANNING

21 For necessary expenses to conduct research, inves-
22 tigation, and surveys of watersheds of rivers and other wa-
23 terways, and for small watershed investigations and plan-
24 ning, in accordance with the Watershed Protection and
25 Flood Prevention Act (16 U.S.C. 1001–1009),
26 \$7,083,000: *Provided*, That none of the funds made avail-

1 able under this paragraph by this or any other appropria-
2 tions Act may be used to provide technical assistance with
3 respect to programs listed in section 1241(a) of the Food
4 Security Act of 1985 (16 U.S.C. 3841(a)).

5 WATERSHED AND FLOOD PREVENTION OPERATIONS

6 For necessary expenses to carry out preventive meas-
7 ures, including but not limited to research, engineering op-
8 erations, methods of cultivation, the growing of vegetation,
9 rehabilitation of existing works and changes in use of land,
10 in accordance with the Watershed Protection and Flood
11 Prevention Act (16 U.S.C. 1001–1005 and 1007–1009),
12 the provisions of the Act of April 27, 1935 (16 U.S.C.
13 590a–f), and in accordance with the provisions of laws re-
14 lating to the activities of the Department, \$75,576,000,
15 to remain available until expended; of which up to
16 \$10,000,000 may be available for the watersheds author-
17 ized under the Flood Control Act (33 U.S.C. 701 and 16
18 U.S.C. 1006a): *Provided*, That not to exceed \$35,000,000
19 of this appropriation shall be available for technical assist-
20 ance: *Provided further*, That not to exceed \$1,000,000 of
21 this appropriation is available to carry out the purposes
22 of the Endangered Species Act of 1973 (Public Law 93–
23 205), including cooperative efforts as contemplated by
24 that Act to relocate endangered or threatened species to
25 other suitable habitats as may be necessary to expedite
26 project construction: *Provided further*, That none of the

1 funds made available under this paragraph by this or any
2 other appropriations Act may be used to provide technical
3 assistance with respect to programs listed in section
4 1241(a) of the Food Security Act of 1985 (16 U.S.C.
5 3841(a)).

6 WATERSHED REHABILITATION PROGRAM

7 For necessary expenses to carry out rehabilitation of
8 structural measures, in accordance with section 14 of the
9 Watershed Protection and Flood Prevention Act (16
10 U.S.C. 1012), and in accordance with the provisions of
11 laws relating to the activities of the Department,
12 \$27,500,000, to remain available until expended: *Pro-*
13 *vided*, That none of the funds made available under this
14 paragraph by this or any other appropriations Act may
15 be used to provide technical assistance with respect to pro-
16 grams listed in section 1241(a) of the Food Security Act
17 of 1985 (16 U.S.C. 3841(a)).

18 RESOURCE CONSERVATION AND DEVELOPMENT

19 For necessary expenses in planning and carrying out
20 projects for resource conservation and development and
21 for sound land use pursuant to the provisions of sections
22 31 and 32 of the Bankhead-Jones Farm Tenant Act (7
23 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27,
24 1935 (16 U.S.C. 590a–f); and subtitle H of title XV of
25 the Agriculture and Food Act of 1981 (16 U.S.C. 3451–
26 3461), \$51,641,000, to remain available until expended:

1 *Provided*, That none of the funds made available under
2 this paragraph by this or any other appropriations Act
3 may be used to provide technical assistance with respect
4 to programs listed in section 1241(a) of the Food Security
5 Act of 1985 (16 U.S.C. 3841(a)): *Provided further*, That
6 the Secretary shall enter into a cooperative or contribution
7 agreement with a national association regarding a Re-
8 source Conservation and Development program and such
9 agreement shall contain the same matching, contribution
10 requirements, and funding level, set forth in a similar co-
11 operative or contribution agreement with a national asso-
12 ciation in fiscal year 2002: *Provided further*, That not to
13 exceed \$3,504,300 shall be available for national head-
14 quarters activities.

15 TITLE III

16 RURAL DEVELOPMENT PROGRAMS

17 OFFICE OF THE UNDER SECRETARY FOR RURAL

18 DEVELOPMENT

19 For necessary salaries and expenses of the Office of
20 the Under Secretary for Rural Development to administer
21 programs under the laws enacted by the Congress for the
22 Rural Housing Service, the Rural Business-Cooperative
23 Service, and the Rural Utilities Service of the Department
24 of Agriculture, \$632,000.

1 RURAL COMMUNITY ADVANCEMENT PROGRAM
2 (INCLUDING TRANSFERS OF FUNDS)

3 For the cost of direct loans, loan guarantees, and
4 grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c,
5 1926d, and 1932, except for sections 381E–H and 381N
6 of the Consolidated Farm and Rural Development Act,
7 \$716,049,000, to remain available until expended, of
8 which \$89,180,000 shall be for rural community programs
9 described in section 381E(d)(1) of such Act; of which
10 \$552,689,000 shall be for the rural utilities programs de-
11 scribed in sections 381E(d)(2), 306C(a)(2), and 306D of
12 such Act, of which not to exceed \$500,000 shall be avail-
13 able for the rural utilities program described in section
14 306(a)(2)(B) of such Act, and of which not to exceed
15 \$1,000,000 shall be available for the rural utilities pro-
16 gram described in section 306E of such Act; and of which
17 \$74,180,000 shall be for the rural business and coopera-
18 tive development programs described in sections
19 381E(d)(3) and 310B(f) of such Act: *Provided*, That of
20 the total amount appropriated in this account,
21 \$25,000,000 shall be for loans and grants to benefit Fed-
22 erally Recognized Native American Tribes, including
23 grants for drinking water and waste disposal systems pur-
24 suant to section 306C of such Act, of which \$4,500,000
25 shall be available for community facilities grants to tribal
26 colleges, as authorized by section 306(a)(19) of the Con-

1 solidated Farm and Rural Development Act, and of which
2 \$250,000 shall be available for a grant to a qualified na-
3 tional organization to provide technical assistance for
4 rural transportation in order to promote economic develop-
5 ment: *Provided further*, That of the amount appropriated
6 for rural community programs, \$6,350,000 shall be avail-
7 able for a Rural Community Development Initiative: *Pro-*
8 *vided further*, That such funds shall be used solely to de-
9 velop the capacity and ability of private, nonprofit commu-
10 nity-based housing and community development organiza-
11 tions, low-income rural communities, and Federally Recog-
12 nized Native American Tribes to undertake projects to im-
13 prove housing, community facilities, community and eco-
14 nomic development projects in rural areas: *Provided fur-*
15 *ther*, That such funds shall be made available to qualified
16 private, nonprofit and public intermediary organizations
17 proposing to carry out a program of financial and tech-
18 nical assistance: *Provided further*, That such intermediary
19 organizations shall provide matching funds from other
20 sources, including Federal funds for related activities, in
21 an amount not less than funds provided: *Provided further*,
22 That of the amount appropriated for the rural business
23 and cooperative development programs, not to exceed
24 \$500,000 shall be made available for a grant to a qualified
25 national organization to provide technical assistance for

1 rural transportation in order to promote economic develop-
2 ment; \$1,000,000 shall be for grants to the Delta Regional
3 Authority (7 U.S.C. 1921 et seq.) for any purpose under
4 this heading: *Provided further*, That of the amount appro-
5 priated for rural utilities programs, not to exceed
6 \$25,000,000 shall be for water and waste disposal systems
7 to benefit the Colonias along the United States/Mexico
8 border, including grants pursuant to section 306C of such
9 Act; not to exceed \$26,000,000 shall be for water and
10 waste disposal systems for rural and native villages in
11 Alaska pursuant to section 306D of such Act, with up to
12 2 percent available to administer the program and/or im-
13 prove interagency coordination may be transferred to and
14 merged with the appropriation for “Rural Development,
15 Salaries and Expenses”, of which \$100,000 shall be pro-
16 vided to develop a regional system for centralized billing,
17 operation, and management of rural water and sewer utili-
18 ties through regional cooperatives, of which 25 percent
19 shall be provided for water and sewer projects in regional
20 hubs, and the State of Alaska shall provide a 25 percent
21 cost share, and grantees may use up to 5 percent of grant
22 funds, not to exceed \$35,000 per community, for the com-
23 pletion of comprehensive community safe water plans; not
24 to exceed \$18,250,000 shall be for technical assistance
25 grants for rural water and waste systems pursuant to sec-

tion 306(a)(14) of such Act, of which \$5,600,000 shall be for Rural Community Assistance Programs and not less than \$800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities; and not to exceed \$13,500,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That of the total amount appropriated, not to exceed \$22,166,000 shall be available through June 30, 2005, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones; of which \$1,081,000 shall be for the rural community programs described in section 381E(d)(1) of such Act, of which \$12,582,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act, and of which \$8,503,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: *Provided further*, That of the amount appropriated for rural community programs, not to exceed \$21,000,000 shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106-387), with 5 percent for administration and capacity building in the

1 State rural development offices: *Provided further*, That of
 2 the amount appropriated, \$28,000,000 shall be trans-
 3 ferred to and merged with the "Rural Utilities Service,
 4 High Energy Cost Grants Account" to provide grants au-
 5 thorized under section 19 of the Rural Electrification Act
 6 of 1936 (7 U.S.C. 918a): *Provided further*, That any prior
 7 year balances for high cost energy grants authorized by
 8 section 19 of the Rural Electrification Act of 1936 (7
 9 U.S.C. 901(19)) shall be transferred to and merged with
 10 the "Rural Utilities Service, High Energy Costs Grants
 11 Account".

12 RURAL DEVELOPMENT SALARIES AND EXPENSES

13 (INCLUDING TRANSFERS OF FUNDS)

14 For necessary expenses for carrying out the adminis-
 15 tration and implementation of programs in the Rural De-
 16 velopment mission area, including activities with institu-
 17 tions concerning the development and operation of agricul-
 18 tural cooperatives; and for cooperative agreements;
 19 \$148,452,000: *Provided*, That ¹⁵ funds appropriated under
 20 this title for salaries and expenses, *notes the \$5,000,000* shall be used to com-
 21 plete the consolidation of Rural Development activities in
 22 St. Louis, to the Goodfellow facility also in St. Louis: *Pro-*
 23 *vided further*, That notwithstanding any other provision of
 24 law, funds appropriated under this section may be used
 25 for advertising and promotional activities that support the

1 Rural Development mission area: *Provided further*, That
2 not more than \$10,000 may be expended to provide mod-
3 est nonmonetary awards to non-USDA employees: *Pro-*
4 *vided further*, That any balances available from prior years
5 for the Rural Utilities Service, Rural Housing Service, and
6 the Rural Business-Cooperative Service salaries and ex-
7 penses accounts shall be transferred to and merged with
8 this appropriation.

9 RURAL HOUSING SERVICE

10 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

11 = (INCLUDING TRANSFERS OF FUNDS)

12 For gross obligations for the principal amount of di-
13 rect and guaranteed loans as authorized by title V of the
14 Housing Act of 1949, to be available from funds in the
15 rural housing insurance fund, as follows: \$4,459,297,000
16 for loans to section 502 borrowers, as determined by the
17 Secretary, of which \$1,150,000,000 shall be for direct
18 loans, and of which \$3,309,297,000 shall be for unsub-
19 sidized guaranteed loans; \$35,000,000 for section 504
20 housing repair loans; \$100,000,000 for section 515 rental
21 housing; \$100,000,000 for section 538 guaranteed multi-
22 family housing loans; \$5,045,000 for section 524 site
23 loans; \$11,501,000 for credit sales of acquired property,
24 of which up to \$1,501,000 may be for multi-family credit
25 sales; and \$10,000,000 for section 523 self-help housing
26 land development loans.

1 For the cost of direct and guaranteed loans, including
2 the cost of modifying loans, as defined in section 502 of
3 the Congressional Budget Act of 1974, as follows: section
4 502 loans, \$166,778,000, of which \$133,170,000 shall be
5 for direct loans, and of which \$33,608,000, to remain
6 available until expended, shall be for unsubsidized guaran-
7 teed loans; section 504 housing repair loans, \$10,171,000;
8 section 515 rental housing, \$47,090,000; section 538
9 multi-family housing guaranteed loans, \$3,490,000; multi-
10 family credit sales of acquired property, \$727,000: *Pro-*
11 *vided,* That of the total amount appropriated in this para-
12 graph, \$7,100,000 shall be available through June 30,
13 2005, for authorized empowerment zones and enterprise
14 communities and communities designated by the Secretary
15 of Agriculture as Rural Economic Area Partnership
16 Zones: *Provided further,* That any funds under this para-
17 graph initially allocated by the Secretary for housing
18 projects in the State of Alaska that are not obligated by
19 September 30, 2005, shall be carried over until September
20 30, 2006, and made available for such housing projects
21 only in the State of Alaska.

22 In addition, for administrative expenses necessary to
23 carry out the direct and guaranteed loan programs,
24 \$448,342,000, which shall be transferred to and merged

1 with the appropriation for "Rural Development, Salaries
2 and Expenses".

3 RENTAL ASSISTANCE PROGRAM

4 For rental assistance agreements entered into or re-
5 newed pursuant to the authority under section 521(a)(2)
6 or agreements entered into in lieu of debt forgiveness or
7 payments for eligible households as authorized by section
8 502(c)(5)(D) of the Housing Act of 1949, \$592,000,000;
9 and, in addition, such sums as may be necessary, as au-
10 thorized by section 521(c) of the Act, to liquidate debt
11 incurred prior to fiscal year 1992 to carry out the rental
12 assistance program under section 521(a)(2) of the Act:
13 *Provided*, That of this amount, \$5,900,000 shall be avail-
14 able for debt forgiveness or payments for eligible house-
15 holds as authorized by section 502(c)(5)(D) of the Act,
16 and not to exceed \$20,000 per project for advances to non-
17 profit organizations or public agencies to cover direct costs
18 (other than purchase price) incurred in purchasing
19 projects pursuant to section 502(c)(5)(C) of the Act: *Pro-*
20 *vided further*, That agreements entered into or renewed
21 during the current fiscal year shall be funded for a four-
22 year period: *Provided further*, That any unexpended bal-
23 ances remaining at the end of such four-year agreements
24 may be transferred and used for the purposes of any debt
25 reduction; maintenance, repair, or rehabilitation of any ex-

1 isting projects; preservation; and rental assistance activi-
2 ties authorized under title V of the Act.

3 MUTUAL AND SELF-HELP HOUSING GRANTS

4 For grants and contracts pursuant to section
5 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
6 1490c), \$34,000,000, to remain available until expended:
7 *Provided*, That of the total amount appropriated,
8 \$1,000,000 shall be available through June 30, 2005, for
9 authorized empowerment zones and enterprise commu-
10 nities and communities designated by the Secretary of Ag-
11 riculture as Rural Economic Area Partnership Zones.

12 RURAL HOUSING ASSISTANCE GRANTS

13 For grants and contracts for very low-income housing
14 repair, supervisory and technical assistance, compensation
15 for construction defects, and rural housing preservation
16 made by the Rural Housing Service, as authorized by 42
17 U.S.C. 1474, 1479(c), 1490e, and 1490m, \$43,992,000,
18 to remain available until expended: *Provided*, That
19 \$3,000,000 shall be made available for loans to private
20 non-profit organizations, or such non-profit organizations'
21 affiliate loan funds and State housing finance agencies,
22 to carry out a housing demonstration program to provide
23 revolving loans for the preservation of low-income multi-
24 family housing projects: *Provided further*, That loans
25 under such demonstration program shall have an interest
26 rate of not more than one percent direct loan to the recipi-

1 ent: *Provided further*, That the Secretary may defer the
2 interest and principal payment to the Rural Housing Serv-
3 ice for up to three years and the term of such loans shall
4 not exceed 30 years: *Provided further*, That of the total
5 amount appropriated, \$1,800,000 shall be available
6 through June 30, 2005, for authorized empowerment
7 zones and enterprise communities and communities des-
8 ignated by the Secretary of Agriculture as Rural Economic
9 Area Partnership Zones.

10 FARM LABOR PROGRAM ACCOUNT

11 For the cost of direct loans, grants, and contracts,
12 as authorized by 42 U.S.C. 1484 and 1486, \$34,118,000,
13 to remain available until expended, for direct farm labor
14 housing loans and domestic farm labor housing grants and
15 contracts.

16 RURAL BUSINESS—COOPERATIVE SERVICE

17 RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

18 (INCLUDING TRANSFER OF FUNDS)

19 For the principal amount of direct loans, as author-
20 ized by the Rural Development Loan Fund (42 U.S.C.
21 9812(a)), \$34,213,000.

22 For the cost of direct loans, \$15,868,000, as author-
23 ized by the Rural Development Loan Fund (42 U.S.C.
24 9812(a)), of which \$1,724,000 shall be available through
25 June 30, 2005, for Federally Recognized Native American
26 Tribes and of which \$3,449,000 shall be available through

1 June 30, 2005, for Mississippi Delta Region counties (as
2 determined in accordance with Public Law 100–460): *Pro-*
3 *vided*, That of such amount made available, the Secretary
4 may provide up to \$1,500,000 for the Delta Regional Au-
5 thority (7 U.S.C. 1921 et seq.): *Provided further*, That
6 such costs, including the cost of modifying such loans,
7 shall be as defined in section 502 of the Congressional
8 Budget Act of 1974: *Provided further*, That of the total
9 amount appropriated, \$2,447,000 shall be available
10 through June 30, 2005, for the cost of direct loans for
11 authorized empowerment zones and enterprise commu-
12 nities and communities designated by the Secretary of Ag-
13 riculture as Rural Economic Area Partnership Zones.

14 In addition, for administrative expenses to carry out
15 the direct loan programs, \$4,316,000 shall be transferred
16 to and merged with the appropriation for “Rural Develop-
17 ment, Salaries and Expenses”.

18 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

19 ACCOUNT

20 (INCLUDING RESCISSION OF FUNDS)

21 For the principal amount of direct loans, as author-
22 ized under section 313 of the Rural Electrification Act,
23 for the purpose of promoting rural economic development
24 and job creation projects, \$25,003,000.

25 For the cost of direct loans, including the cost of
26 modifying loans as defined in section 502 of the Congres-

1 sional Budget Act of 1974, \$4,698,000, to remain avail-
2 able until expended.

3 Of the funds derived from interest on the cushion of
4 credit payments in the current fiscal year, as authorized
5 by section 313 of the Rural Electrification Act of 1936,
6 \$4,698,000 shall not be obligated and \$4,698,000 are re-
7 scinded.

8 RURAL COOPERATIVE DEVELOPMENT GRANTS

9 For rural cooperative development grants authorized
10 under section 310B(e) of the Consolidated Farm and
11 Rural-Development Act (7 U.S.C. 1932), \$24,000,000, of
12 which \$2,500,000 shall be for cooperative agreements for
13 the appropriate technology transfer for rural areas pro-
14 gram: *Provided*, That not to exceed \$1,500,000 shall be
15 for cooperatives or associations of cooperatives whose pri-
16 mary focus is to provide assistance to small, minority pro-
17 ducers and whose governing board and/or membership is
18 comprised of at least 75 percent minority; and of which
19 not to exceed \$15,500,000, to remain available until ex-
20 pended, shall be for value-added agricultural product mar-
21 ket development grants, as authorized by section 6401 of
22 the Farm Security and Rural Investment Act of 2002 (7
23 U.S.C. 1621 note).

1 RURAL EMPOWERMENT ZONES AND ENTERPRISE
2 COMMUNITIES GRANTS

3 For grants in connection with second and third
4 rounds of empowerment zones and enterprise commu-
5 nities, \$12,500,000, to remain available until expended,
6 for designated rural empowerment zones and rural enter-
7 prise communities, as authorized by the Taxpayer Relief
8 Act of 1997 and the Omnibus Consolidated and Emer-
9 gency Supplemental Appropriations Act, 1999 (Public
10 Law 105-277): *Provided*, That of the funds appropriated,
11 \$1,000,000 shall be made available to third round em-
12 powerment zones, as authorized by the Community Re-
13 newal Tax Relief Act (Public Law 106-554).

14 RENEWABLE ENERGY PROGRAM

15 For the cost of a program of direct loans, loan guar-
16 antees, and grants, under the same terms and conditions
17 as authorized by section 9006 of the Farm Security and
18 Rural Investment Act of 2002 (7 U.S.C. 8106),
19 \$23,000,000 for direct and guaranteed renewable energy
20 loans and grants: *Provided*, That the cost of direct loans
21 and loan guarantees, including the cost of modifying such
22 loans, shall be as defined in section 502 of the Congres-
23 sional Budget Act of 1974.

1 RURAL UTILITIES SERVICE
2 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS
3 LOANS PROGRAM ACCOUNT
4 (INCLUDING TRANSFER OF FUNDS)
5 Insured loans pursuant to the authority of section
6 305 of the Rural Electrification Act of 1936 (7 U.S.C.
7 935) shall be made as follows: 5 percent rural electrifica-
8 tion loans, \$120,000,000; municipal rate rural electric
9 loans, \$100,000,000; loans made pursuant to section 306
10 of that Act, rural electric, \$2,100,000,000; Treasury rate
11 direct electric loans, \$1,000,000,000; guaranteed under-
12 writing loans pursuant to section 313A, \$1,000,000,000;
13 5 percent rural telecommunications loans, \$145,000,000;
14 cost of money rural telecommunications loans,
15 \$250,000,000; and for loans made pursuant to section 306
16 of that Act, rural telecommunications loans,
17 \$125,000,000.
18 For the cost, as defined in section 502 of the Con-
19 gressional Budget Act of 1974, including the cost of modi-
20 fying loans, of direct and guaranteed loans authorized by
21 sections 305 and 306 of the Rural Electrification Act of
22 1936 (7 U.S.C. 935 and 936), as follows: cost of rural
23 electric loans, \$5,058,000, and the cost of telecommuni-
24 cations loans, \$100,000: *Provided*, That notwithstanding
25 section 305(d)(2) of the Rural Electrification Act of 1936,
26 borrower interest rates may exceed 7 percent per year.

1 In addition, for administrative expenses necessary to
2 carry out the direct and guaranteed loan programs,
3 \$58,277,000 which shall be transferred to and merged
4 with the appropriation for "Rural Development, Salaries
5 and Expenses".

6 RURAL TELEPHONE BANK PROGRAM ACCOUNT
7 (INCLUDING TRANSFER OF FUNDS)

8 The Rural Telephone Bank is hereby authorized to
9 make such expenditures, within the limits of funds avail-
10 able to such corporation in accord with law, and to make
11 such contracts and commitments without regard to fiscal
12 year limitations as provided by section 104 of the Govern-
13 ment Corporation Control Act, as may be necessary in car-
14 rying out its authorized programs. During fiscal year 2005
15 and within the resources and authority available, gross ob-
16 ligations for the principal amount of direct loans shall be
17 \$175,000,000.

18 In addition, for administrative expenses, including
19 audits, necessary to carry out the loan programs,
20 \$3,152,000, which shall be transferred to and merged with
21 the appropriation for "Rural Development, Salaries and
22 Expenses".

23 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
24 PROGRAM

25 For the principal amount of direct distance learning
26 and telemedicine loans, \$50,000,000; and for the principal

1 amount of direct broadband telecommunication loans,
2 \$550,000,000.

3 For the cost of direct loans and grants for telemedi-
4 cine and distance learning services in rural areas, as au-
5 thorized by 7 U.S.C. 950aaa et seq., \$35,710,000, to re-
6 main available until expended, of which \$710,000 shall be
7 for direct loans: *Provided*, That the cost of direct loans
8 shall be as defined in section 502 of the Congressional
9 Budget Act of 1974: *Provided further*, That \$10,000,000
10 shall be made available to convert analog to digital oper-
11 ation those noncommercial educational television broad-
12 cast stations that serve rural areas and are qualified for
13 Community Service Grants by the Corporation for Public
14 Broadcasting under section 396(k) of the Communications
15 Act of 1934, including associated translators and repeat-
16 ers, regardless of the location of their main transmitter,
17 studio-to-transmitter links, and equipment to allow local
18 control over digital content and programming through the
19 use of high-definition broadcast, multi-casting and
20 datacasting technologies.

21 For the cost of broadband loans, as authorized by 7
22 U.S.C. 901 et seq., \$11,715,000, to remain available until
23 September 30, 2006: *Provided*, That the interest rate for
24 such loans shall be the cost of borrowing to the Depart-
25 ment of the Treasury for obligations of comparable matu-

1 rity: *Provided further*, That the cost of direct loans shall
2 be as defined in section 502 of the Congressional Budget
3 Act of 1974.

4 In addition, \$9,000,000, to remain available until ex-
5 pended, for a grant program to finance broadband trans-
6 mission in rural areas eligible for Distance Learning and
7 Telemedicine Program benefits authorized by 7 U.S.C.
8 950aaa.

9 TITLE IV

10 DOMESTIC FOOD PROGRAMS

11 OFFICE OF THE UNDER SECRETARY FOR FOOD,

12 NUTRITION AND CONSUMER SERVICES

13 For necessary salaries and expenses of the Office of
14 the Under Secretary for Food, Nutrition and Consumer
15 Services to administer the laws enacted by the Congress
16 for the Food and Nutrition Service, \$595,000.

17 FOOD AND NUTRITION SERVICE

18 CHILD NUTRITION PROGRAMS

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses to carry out the National
21 School Lunch Act (42 U.S.C. 1751 et seq.), except section
22 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771
23 et seq.), except sections 17 and 21; \$11,782,000,000, to
24 remain available through September 30, 2006, of which
25 \$6,629,038,000 is hereby appropriated and
26 \$5,152,962,000 shall be derived by transfer from funds

1 available under section 32 of the Act of August 24, 1935
2 (7 U.S.C. 612c): *Provided*, That none of the funds made
3 available under this heading shall be used for studies and
4 evaluations: *Provided further*, That up to \$5,235,000 shall
5 be available for independent verification of school food
6 service claims.

7 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
8 WOMEN, INFANTS, AND CHILDREN (WIC)

9 For necessary expenses to carry out the special sup-
10 plemental nutrition program as authorized by section 17
11 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
12 \$5,277,250,000, to remain available through September 30,
13 2006, of which \$125,000,000 shall be placed in reserve,
14 to remain available until expended, to be allocated as the
15 Secretary deems necessary, notwithstanding section 17(i)
16 of such Act, to support participation should cost or partici-
17 pation exceed budget estimates: *Provided*, That of the
18 total amount available, the Secretary shall obligate not
19 less than \$15,000,000 for a breastfeeding support initia-
20 tive in addition to the activities specified in section
21 17(h)(3)(A): *Provided further*, That notwithstanding sec-
22 tion 17(h)(10)(A) of such Act, \$14,000,000 shall be avail-
23 able for the purposes specified in section 17(h)(10)(B):
24 *Provided further*, That none of the funds made available
25 under this heading shall be used for studies and evalua-
26 tions: *Provided further*, That none of the funds in this Act

1 shall be available to pay administrative expenses of WIC
2 clinics except those that have an announced policy of pro-
3 hibiting smoking within the space used to carry out the
4 program: *Provided further*, That none of the funds pro-
5 vided in this account shall be available for the purchase
6 of infant formula except in accordance with the cost con-
7 tainment and competitive bidding requirements specified
8 in section 17 of such Act: *Provided further*, That none of
9 the funds provided shall be available for activities that are
10 not fully reimbursed by other Federal Government depart-
11 ments or agencies unless authorized by section 17 of such
12 Act.

13 FOOD STAMP PROGRAM

14 For necessary expenses to carry out the Food Stamp
15 Act (7 U.S.C. 2011 et seq.), \$35,154,554,000, of which
16 \$3,000,000,000 to remain available through September
17 30, 2006, shall be placed in reserve for use only in such
18 amounts and at such times as may become necessary to
19 carry out program operations: *Provided*, That none of the
20 funds made available under this heading shall be used for
21 studies and evaluations: *Provided further*, That of the
22 funds made available under this heading and not already
23 appropriated to the Food Distribution Program on Indian
24 Reservations (FDPIR) established under section 4(b) of
25 the Food Stamp Act of 1977 (7 U.S.C. 2013(b)), not to
26 exceed \$4,000,000 shall be used to purchase bison meat

1 for the FDPIR from Native American bison producers as
2 well as from producer-owned cooperatives of bison ranch-
3 ers: *Provided further*, That funds provided herein shall be
4 expended in accordance with section 16 of the Food Stamp
5 Act: *Provided further*, That this appropriation shall be
6 subject to any work registration or workfare requirements
7 as may be required by law: *Provided further*, That funds
8 made available for Employment and Training under this
9 heading shall remain available until expended, as author-
10 ized by section 16(h)(1) of the Food Stamp Act: *Provided*
11 *further*, That notwithstanding section 5(d) of the Food
12 Stamp Act of 1977, any additional payment received
13 under chapter 5 of title 37, United States Code, by a
14 member of the United States Armed Forces deployed to
15 a designated combat zone shall be excluded from house-
16 hold income for the duration of the member's deployment
17 if the additional pay is the result of deployment to or while
18 serving in a combat zone, and it was not received imme-
19 diately prior to serving in the combat zone.

20 COMMODITY ASSISTANCE PROGRAM

21 For necessary expenses to carry out disaster assist-
22 ance and the commodity supplemental food program as
23 authorized by section 4(a) of the Agriculture and Con-
24 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
25 Emergency Food Assistance Act of 1983; and special as-
26 sistance (in a form determined by the Secretary of Agri-

1 culture) for the nuclear affected islands, as authorized by
 2 section 103(f)(2) of the Compact of Free Association
 3 Amendments Act of 2003 (Public Law 108-188); and the
 4 Farmers' Market Nutrition Program, as authorized by
 5 section 17(m) of the Child Nutrition Act of 1966,
 6 \$178,797,000, to remain available through September 30,
 7 2006: *Provided*, That none of these funds shall be avail-
 8 able to reimburse the Commodity Credit Corporation for
 9 commodities donated to the program.

10 NUTRITION PROGRAMS ADMINISTRATION

11 For necessary administrative expenses of the domes-
 12 tic nutrition assistance programs funded under this Act,
 13 \$139,937,000, of which \$5,000,000 shall be available only
 14 for simplifying procedures, reducing overhead costs, tight-
 15 ening regulations, improving food stamp benefit delivery,
 16 and assisting in the prevention, identification, and pros-
 17 ecution of fraud and other violations of law.

18 TITLE V

19 FOREIGN ASSISTANCE AND RELATED

20 PROGRAMS

21 FOREIGN AGRICULTURAL SERVICE

22 SALARIES AND EXPENSES

23 (INCLUDING TRANSFERS OF FUNDS)

24 For necessary expenses of the Foreign Agricultural
 25 Service, including carrying out title VI of the Agricultural
 26 Act of 1954 (7 U.S.C. 1761-1768), market development

Insert
54A

54A

:Provided further, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2005 to support the Senior Farmers' Market Nutrition Program, as authorized by section 4402 of Public Law 107-171, such funds shall remain available through September 30, 2006

1 activities abroad, and for enabling the Secretary to coordi-
2 nate and integrate activities of the Department in connec-
3 tion with foreign agricultural work, including not to exceed
4 \$158,000 for representation allowances and for expenses
5 pursuant to section 8 of the Act approved August 3, 1956
6 (7 U.S.C. 1766), \$137,822,000: *Provided*, That the Serv-
7 ice may utilize advances of funds, or reimburse this appro-
8 priation for expenditures made on behalf of Federal agen-
9 cies, public and private organizations and institutions
10 under agreements executed pursuant to the agricultural
11 food production assistance programs (7 U.S.C. 1737) and
12 the foreign assistance programs of the United States
13 Agency for International Development.

14 PUBLIC LAW 480 TITLE I PROGRAM ACCOUNT

15 (INCLUDING TRANSFERS OF FUNDS)

16 For the cost, as defined in section 502 of the Con-
17 gressional Budget Act of 1974, of agreements under the
18 Agricultural Trade Development and Assistance Act of
19 1954, and the Food for Progress Act of 1985, including
20 the cost of modifying credit arrangements under said Acts,
21 \$94,198,000, to remain available until expended: *Pro-*
22 *vided*, That the Secretary of Agriculture may implement
23 a commodity monetization program under existing provi-
24 sions of the Food for Progress Act of 1985 to provide no
25 less than \$5,000,000 in local-currency funding support for
26 rural electrification development overseas.

1 cluding interest thereon, under the Agricultural Trade De-
2 velopment and Assistance Act of 1954, for commodities
3 supplied in connection with dispositions abroad under title
4 II of said Act, \$1,182,501,000, to remain available until
5 expended.

6 COMMODITY CREDIT CORPORATION EXPORT LOANS

7 PROGRAM ACCOUNT

8 (INCLUDING TRANSFERS OF FUNDS)

9 For administrative expenses to carry out the Com-
10 modity Credit Corporation's export guarantee program,
11 GSM 102 and GSM 103, \$4,423,000; to cover common
12 overhead expenses as permitted by section 11 of the Com-
13 modity Credit Corporation Charter Act and in conformity
14 with the Federal Credit Reform Act of 1990, of which
15 \$3,421,000 may be transferred to and merged with the
16 appropriation for "Foreign Agricultural Service, Salaries
17 and Expenses", and of which \$1,002,000 may be trans-
18 ferred to and merged with the appropriation for "Farm
19 Service Agency, Salaries and Expenses".

20 MC GOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION

21 AND CHILD NUTRITION PROGRAM GRANTS

22 For necessary expenses to carry out the provisions
23 of section 3107 of the Farm Security and Rural Invest-
24 ment Act of 2002 (7 U.S.C. 1736o-1), \$87,500,000, to
25 remain available until expended: *Provided*, That the Com-
26 modity Credit Corporation is authorized to provide the

1 services, facilities, and authorities for the purpose of im-
2 plementing such section, subject to reimbursement from
3 amounts provided herein.

4 TITLE VI

5 RELATED AGENCIES AND FOOD AND DRUG

6 ADMINISTRATION

7 DEPARTMENT OF HEALTH AND HUMAN

8 SERVICES

9 FOOD AND DRUG ADMINISTRATION

10 SALARIES AND EXPENSES

11 For necessary expenses of the Food and Drug Ad-
12 ministration, including hire and purchase of passenger
13 motor vehicles; for payment of space rental and related
14 costs pursuant to Public Law 92-313 for programs and
15 activities of the Food and Drug Administration which are
16 included in this Act; for rental of special purpose space
17 in the District of Columbia or elsewhere; for miscellaneous
18 and emergency expenses of enforcement activities, author-
19 ized and approved by the Secretary and to be accounted
20 for solely on the Secretary's certificate, not to exceed
21 \$25,000; and notwithstanding section 521 of Public Law
22 107-188; \$1,788,478,000: *Provided*, That of the amount
23 provided under this heading, \$284,394,000 shall be de-
24 rived from prescription drug user fees authorized by 21
25 U.S.C. 379h, and shall be credited to this account and

1 remain available until expended; \$33,938,000 shall be de-
2 rived from medical device user fees authorized by 21
3 U.S.C. 379j, and shall be credited to this account and re-
4 main available until expended; and \$8,354,000 shall be de-
5 rived from animal drug user fees authorized by 21 U.S.C.
6 379j, and shall be credited to this account and remain
7 available until expended: *Provided further*, That fees de-
8 rived from prescription drug, medical device, and animal
9 drug assessments received during fiscal year 2005, includ-
10 ing any such fees assessed prior to the current fiscal year
11 but credited during the current year, shall be subject to
12 the fiscal year 2005 limitation: *Provided further*, That
13 none of these funds shall be used to develop, establish,
14 or operate any program of user fees authorized by 31
15 U.S.C. 9701: *Provided further*, That of the total amount
16 appropriated: (1) \$439,038,000 shall be for the Center for
17 Food Safety and Applied Nutrition and related field activi-
18 ties in the Office of Regulatory Affairs; (2) \$498,647,000
19 shall be for the Center for Drug Evaluation and Research
20 and related field activities in the Office of Regulatory Af-
21 fairs; (3) \$172,714,000 shall be for the Center for Bio-
22 logics Evaluation and Research and for related field activi-
23 ties in the Office of Regulatory Affairs; (4) \$98,964,000
24 shall be for the Center for Veterinary Medicine and for
25 related field activities in the Office of Regulatory Affairs;

1 (5) \$235,078,000 shall be for the Center for Devices and
2 Radiological Health and for related field activities in the
3 Office of Regulatory Affairs; (6) \$40,530,000 shall be for
4 the National Center for Toxicological Research; (7)
5 \$57,722,000 shall be for Rent and Related activities, other
6 than the amounts paid to the General Services Adminis-
7 tration for rent; (8) \$129,815,000 shall be for payments
8 to the General Services Administration for rent; and (9)
9 \$115,970,000 shall be for other activities, including the
10 Office of the Commissioner; the Office of Management;
11 the Office of External Relations; the Office of Policy and
12 Planning; and central services for these offices: *Provided*
13 *further*, That funds may be transferred from one specified
14 activity to another with the prior approval of the Commit-
15 tees on Appropriations of both Houses of Congress.

16 In addition, mammography user fees authorized by
17 42 U.S.C. 263b may be credited to this account, to remain
18 available until expended.

19 In addition, export certification user fees authorized
20 by 21 U.S.C. 381 may be credited to this account, to re-
21 main available until expended.

22 INDEPENDENT AGENCIES

23 COMMODITY FUTURES TRADING COMMISSION

24 For necessary expenses to carry out the provisions
25 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-

1 cluding the purchase and hire of passenger motor vehicles,
2 and the rental of space (to include multiple year leases)
3 in the District of Columbia and elsewhere, \$94,327,000,
4 including not to exceed \$3,000 for official reception and
5 representation expenses.

6 FARM CREDIT ADMINISTRATION

7 LIMITATION ON ADMINISTRATIVE EXPENSES

8 Not to exceed \$42,350,000 (from assessments col-
9 lected from farm credit institutions and from the Federal
10 Agricultural Mortgage Corporation) shall be obligated
11 during the current fiscal year for administrative expenses
12 as authorized under 12 U.S.C. 2249: *Provided*, That this
13 limitation shall not apply to expenses associated with re-
14 ceiverships.

15 TITLE VII—GENERAL PROVISIONS

16 SEC. 701. Within the unit limit of cost fixed by law,
17 appropriations and authorizations made for the Depart-
18 ment of Agriculture for the current fiscal year under this
19 Act shall be available for the purchase, in addition to those
20 specifically provided for, of not to exceed 388 passenger
21 motor vehicles, of which 388 shall be for replacement only,
22 and for the hire of such vehicles.

23 SEC. 702. Funds in this Act available to the Depart-
24 ment of Agriculture shall be available for uniforms or al-

1 lowances therefor as authorized by law (5 U.S.C. 5901–
2 5902).

3 SEC. 703. Funds appropriated by this Act shall be
4 available for employment pursuant to the second sentence
5 of section 706(a) of the Department of Agriculture Or-
6 ganic Act of 1944 (7 U.S.C. 2225) and 5 U.S.C. 3109.

7 SEC. 704. New obligational authority provided for the
8 following appropriation items in this Act shall remain
9 available until expended: Animal and Plant Health Inspec-
10 tion Service, the contingency fund to meet emergency con-
11 ditions, information technology infrastructure, fruit fly
12 program, emerging plant pests, boll weevil program, low
13 pathogen avian influenza program, up to \$33,197,000 in
14 animal health monitoring and surveillance for the animal
15 identification system, up to \$3,000,000 in the emergency
16 management systems program for the vaccine bank, up
17 to \$1,000,000 for wildlife services methods development,
18 up to \$1,000,000 of the wildlife services operation pro- (S)
19 gram for aviation safety, and up to 25 percent of the
20 screwworm program; Food Safety and Inspection Service,
21 field automation and information management project;
22 Cooperative State Research, Education, and Extension
23 Service, funds for competitive research grants (7 U.S.C.
24 450i(b)), funds for the Research, Education, and Econom-
25 ics Information System (REEIS), and funds for the Na- J

1 tive American Institutions Endowment Fund; Farm Serv-
2 ice Agency, salaries and expenses funds made available to
3 county committees; Foreign Agricultural Service, middle-
4 income country training program, and up to \$1,565,000
5 of the Foreign Agricultural Service appropriation solely
6 for the purpose of offsetting fluctuations in international
7 currency exchange rates, subject to documentation by the
8 Foreign Agricultural Service.

9 SEC. 705. The Secretary of Agriculture may transfer
10 unobligated balances of discretionary funds appropriated
11 by this Act or other available unobligated discretionary
12 balances of the Department of Agriculture to the Working
13 Capital Fund for the acquisition of plant and capital
14 equipment necessary for the delivery of financial, adminis-
15 trative, and information technology services of primary
16 benefit to the agencies of the Department of Agriculture:
17 *Provided*, That none of the funds made available by this
18 Act or any other Act shall be transferred to the Working
19 Capital Fund without the prior approval of the agency ad-
20 ministrator: *Provided further*, That none of the funds
21 transferred to the Working Capital Fund pursuant to this
22 section shall be available for obligation without the prior
23 approval of the Committees on Appropriations of both
24 Houses of Congress.

1 SEC. 706. No part of any appropriation contained in
2 this Act shall remain available for obligation beyond the
3 current fiscal year unless expressly so provided herein.

4 SEC. 707. Not to exceed \$50,000 of the appropria-
5 tions available to the Department of Agriculture in this
6 Act shall be available to provide appropriate orientation
7 and language training pursuant to section 606C of the Act
8 of August 28, 1954 (7 U.S.C. 1766b).

9 SEC. 708. No funds appropriated by this Act may be
10 used to pay negotiated indirect cost rates on cooperative
11 agreements or similar arrangements between the United
12 States Department of Agriculture and nonprofit institu-
13 tions in excess of 10 percent of the total direct cost of
14 the agreement when the purpose of such cooperative ar-
15 rangements is to carry out programs of mutual interest
16 between the two parties. This does not preclude appro-
17 priate payment of indirect costs on grants and contracts
18 with such institutions when such indirect costs are com-
19 puted on a similar basis for all agencies for which appro-
20 priations are provided in this Act.

21 SEC. 709. None of the funds in this Act shall be avail-
22 able to restrict the authority of the Commodity Credit
23 Corporation to lease space for its own use or to lease space
24 on behalf of other agencies of the Department of Agri-
25 culture when such space will be jointly occupied.

1 SEC. 710. None of the funds in this Act shall be avail-
2 able to pay indirect costs charged against competitive agri-
3 cultural research, education, or extension grant awards
4 issued by the Cooperative State Research, Education, and
5 Extension Service that exceed 20 percent of total Federal
6 funds provided under each award: *Provided*, That notwith-
7 standing section 1462 of the National Agricultural Re-
8 search, Extension, and Teaching Policy Act of 1977 (7
9 U.S.C. 3310), funds provided by this Act for grants
10 awarded competitively by the Cooperative State Research,
11 Education, and Extension Service shall be available to pay
12 full allowable indirect costs for each grant awarded under
13 section 9 of the Small Business Act (15 U.S.C. 638).

14 SEC. 711. Notwithstanding any other provision of
15 this Act, all loan levels provided in this Act shall be consid-
16 ered estimates, not limitations.

17 SEC. 712. Appropriations to the Department of Agri-
18 culture for the cost of direct and guaranteed loans made
19 available in the current fiscal year shall remain available
20 until expended to cover obligations made in the current
21 fiscal year for the following accounts: the Rural Develop-
22 ment Loan Fund program account, the Rural Telephone
23 Bank program account, the Rural Electrification and
24 Telecommunication Loans program account, and the
25 Rural Housing Insurance Fund program account.

1 SEC. 713. None of the funds in this Act may be used
2 to retire more than 5 percent of the Class A stock of the
3 Rural Telephone Bank or to maintain any account or sub-
4 account within the accounting records of the Rural Tele-
5 phone Bank the creation of which has not specifically been
6 authorized by statute: *Provided*, That notwithstanding any
7 other provision of law, none of the funds appropriated or
8 otherwise made available in this Act may be used to trans-
9 fer to the Treasury or to the Federal Financing Bank any
10 unobligated balance of the Rural Telephone Bank tele-
11 phone liquidating account which is in excess of current
12 requirements and such balance shall receive interest as set
13 forth for financial accounts in section 505(c) of the Fed-
14 eral Credit Reform Act of 1990.

15 SEC. 714. Of the funds made available by this Act,
16 not more than \$1,800,000 shall be used to cover necessary
17 expenses of activities related to all advisory committees,
18 panels, commissions, and task forces of the Department
19 of Agriculture, except for panels used to comply with nego-
20 tiated rule makings and panels used to evaluate competi-
21 tively awarded grants.

22 SEC. 715. None of the funds appropriated by this Act
23 may be used to carry out section 410 of the Federal Meat
24 Inspection Act (21 U.S.C. 679a) or section 30 of the Poul-
25 try Products Inspection Act (21 U.S.C. 471).

1 SEC. 716. No employee of the Department of Agri-
2 culture may be detailed or assigned from an agency or
3 office funded by this Act to any other agency or office
4 of the Department for more than 30 days unless the indi-
5 vidual's employing agency or office is fully reimbursed by
6 the receiving agency or office for the salary and expenses
7 of the employee for the period of assignment.

8 SEC. 717. None of the funds appropriated or other-
9 wise made available to the Department of Agriculture
10 shall be used to transmit or otherwise make available to
11 any non-Department of Agriculture employee questions or
12 responses to questions that are a result of information re-
13 quested for the appropriations hearing process.

14 SEC. 718. None of the funds made available to the
15 Department of Agriculture by this Act may be used to ac-
16 quire new information technology systems or significant
17 upgrades, as determined by the Office of the Chief Infor-
18 mation Officer, without the approval of the Chief Informa-
19 tion Officer and the concurrence of the Executive Informa-
20 tion Technology Investment Review Board: *Provided*, That
21 notwithstanding any other provision of law, none of the
22 funds appropriated or otherwise made available by this
23 Act may be transferred to the Office of the Chief Informa-
24 tion Officer without the prior approval of the Committees
25 on Appropriations of both Houses of Congress: *Provided*

1 *further*, That none of the funds available to the Depart-
2 ment of Agriculture for information technology shall be
3 obligated for projects over \$25,000 prior to receipt of writ-
4 ten approval by the Chief Information Officer.

5 SEC. 719. (a) None of the funds provided by this Act,
6 or provided by previous Appropriations Acts to the agen-
7 cies funded by this Act that remain available for obligation
8 or expenditure in the current fiscal year, or provided from
9 any accounts in the Treasury of the United States derived
10 by the collection of fees available to the agencies funded
11 by this Act, shall be available for obligation or expenditure
12 through a reprogramming of funds which: (1) creates new
13 programs; (2) eliminates a program, project, or activity;
14 (3) increases funds or personnel by any means for any
15 project or activity for which funds have been denied or
16 restricted; (4) relocates an office or employees; (5) reorga-
17 nizes offices, programs, or activities; or (6) contracts out
18 or privatizes any functions or activities presently per-
19 formed by Federal employees; unless the Committees on
20 Appropriations of both Houses of Congress are notified
21 15 days in advance of such reprogramming of funds.

22 (b) None of the funds provided by this Act, or pro-
23 vided by previous Appropriations Acts to the agencies
24 funded by this Act that remain available for obligation or
25 expenditure in the current fiscal year, or provided from

1 any accounts in the Treasury of the United States derived
2 by the collection of fees available to the agencies funded
3 by this Act, shall be available for obligation or expenditure
4 for activities, programs, or projects through a reprogram-
5 ming of funds in excess of \$500,000 or 10 percent, which-
6 ever is less, that: (1) augments existing programs,
7 projects, or activities; (2) reduces by 10 percent funding
8 for any existing program, project, or activity, or numbers
9 of personnel by 10 percent as approved by Congress; or
10 (3) results from any general savings from a reduction in
11 personnel which would result in a change in existing pro-
12 grams, activities, or projects as approved by Congress; un-
13 less the Committees on Appropriations of both Houses of
14 Congress are notified 15 days in advance of such re-
15 programming of funds.

16 (c) The Secretary of Agriculture, the Secretary of
17 Health and Human Services, or the Chairman of the Com-
18 modity Futures Trading Commission shall notify the Com-
19 mittees on Appropriations of both Houses of Congress be-
20 fore implementing a program or activity not carried out
21 during the previous fiscal year unless the program or ac-
22 tivity is funded by this Act or specifically funded by any
23 other Act.

24 SEC. 720. With the exception of funds needed to ad-
25 minister and conduct oversight of grants awarded and ob-

1 ligations incurred in prior fiscal years, none of the funds
2 appropriated or otherwise made available by this or any
3 other Act may be used to pay the salaries and expenses
4 of personnel to carry out the provisions of section 401 of
5 Public Law 105–185, the Initiative for Future Agriculture
6 and Food Systems (7 U.S.C. 7621).

7 SEC. 721. None of the funds appropriated by this or
8 any other Act shall be used to pay the salaries and ex-
9 penses of personnel who prepare or submit appropriations
10 language as part of the President’s Budget submission to
11 the Congress of the United States for programs under the
12 jurisdiction of the Appropriations Subcommittees on Agri-
13 culture, Rural Development, Food and Drug Administra-
14 tion, and Related Agencies that assumes revenues or re-
15 flects a reduction from the previous year due to user fees
16 proposals that have not been enacted into law prior to the
17 submission of the Budget unless such Budget submission
18 identifies which additional spending reductions should
19 occur in the event the user fees proposals are not enacted
20 prior to the date of the convening of a committee of con-
21 ference for the fiscal year 2006 appropriations Act.

22 SEC. 722. None of the funds made available by this
23 or any other Act may be used to close or relocate a state
24 Rural Development office unless or until cost effectiveness

1 and enhancement of program delivery have been deter-
2 mined.

3 SEC. 723. In addition to amounts otherwise appro-
4 priated or made available by this Act, \$2,500,000 is ap-
5 propriated for the purpose of providing Bill Emerson and
6 Mickey Leland Hunger Fellowships, through the Congres-
7 sional Hunger Center.

8 SEC. 724. Notwithstanding section 412 of the Agri-
9 cultural Trade Development and Assistance Act of 1954
10 (7 U.S.C. 1736f), any balances available to carry out title
11 III of such Act as of the date of enactment of this Act,
12 and any recoveries and reimbursements that become avail-
13 able to carry out title III of such Act, may be used to
14 carry out title II of such Act.

15 SEC. 725. Section 375(e)(6)(B) of the Consolidated
16 Farm and Rural Development Act (7 U.S.C.
17 2008j(e)(6)(B)) is amended by striking “\$26,998,000”
18 and inserting “\$27,998,000”.

19 SEC. 726. (a) None of the funds appropriated or oth-
20 erwise made available by this Act shall be used to pay the
21 salaries and expenses of personnel to collect from the lend-
22 er at the time of issuance a guarantee fee of less than
23 2 percent of the principal obligation of guaranteed single-
24 family housing loans administered by the Rural Housing
25 Service: *Provided*, That this section shall not apply to

1 loans made to refinance other single-family housing loans
2 administered by the Rural Housing Service.

3 (b) Section 502(h)(6)(C) of the Housing Act of 1949
4 (42 U.S.C. 1472(h)(6)(C)) is amended by adding, “, plus
5 the guarantee fee as authorized by subsection (h)(7)”
6 after the phrase, “whichever is less”, in each of para-
7 graphs (i) and (ii).

8 SEC. 727. Notwithstanding any other provision of
9 law, and until receipt of the decennial Census in the year
10 2010, the Secretary of Agriculture shall consider—

11 = (1) the City of Salinas, California; the City of
12 Watsonville, California; and the City of Hollister,
13 California, eligible for programs administered by the
14 Rural Housing Service;

15 (2) the Town of Horseshoe Beach, Florida; the
16 City of Wewahitchka, Florida; the City of Southport,
17 Florida; the City of Resota Beach, Florida; the City of
18 Creedmoor, North Carolina; the County of Lake, Florida;
19 the City of St. Cloud, Florida; the City of Plantation,
20 Florida; the Cleburne County Water Authority of Ala-
21 bama; and the City of Coburg, Oregon, eligible for loans
22 and grants funded through the rural utilities programs in
23 the Rural Community Advancement Program account;

24 (3) the City of Casa Grande, Arizona, a rural
25 area for purposes of eligibility for loans and grants

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1 provided through the Rural Housing Insurance
2 Fund Program account, the Rural Housing Assist-
3 ance Grants account and the rural utilities programs
4 in the Rural Community Advancement Program ac-
5 count;

6 (4) the City of Coachella, California, eligible for
7 loans and grants funded through the rural utilities
8 programs and rural business and cooperative devel-
9 opment programs in the Rural Community Advance-
10 ment Program account and the Rural Housing In-
11 surance Fund Program account;

12 (5) the City of Springfield, Ohio; the City of
13 Lexington, Virginia; the City of Clarksdale, Mis-
14 sissippi; the City of Vicksburg, Mississippi; the City
15 of Cache, Oklahoma; and the City of Elgin, Okla-
16 homa, eligible for loans and grants funded through
17 the rural community programs in the Rural Commu-
18 nity Advancement Program account;

19 (6) the City of Carbondale, Illinois, a rural area
20 for purposes of eligibility for loans and grants fund-
21 ed through the Rural Housing Insurance Fund Pro-
22 gram account and the Rural Housing Assistance
23 Grants account; and

24 (7) the City of St. Joseph, Missouri, eligible for
25 loans and grants funded through the rural business

1 and cooperative development programs in the Rural
2 Community Advancement Program account relating
3 to an application submitted to the Department by a
4 farmer-owned cooperative, a majority of whose mem-
5 bers reside in a rural area, as determined by the
6 Secretary, and for the purchase and operation of a
7 facility beneficial to the purpose of the cooperative.

8 SEC. 728. Of any shipments of commodities made
9 pursuant to section 416(b) of the Agricultural Act of 1949
10 (7 U.S.C. 1431(b)), the Secretary of Agriculture shall, to
11 the extent practicable, direct that tonnage equal in value
12 to not more than \$25,000,000 shall be made available to
13 foreign countries to assist in mitigating the effects of the
14 Human Immunodeficiency Virus and Acquired Immune
15 Deficiency Syndrome on communities, including the provi-
16 sion of—

17 (1) agricultural commodities to—

18 (A) individuals with Human Immuno-
19 deficiency Virus or Acquired Immune Defi-
20 ciency Syndrome in the communities; and

21 (B) households in the communities, par-
22 ticularly individuals caring for orphaned chil-
23 dren; and

24 (2) agricultural commodities monetized to pro-
25 vide other assistance (including assistance under

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(8) the fiber-to-premises broadband facilities in St. Lucie County, Florida, and the City of Port St. Lucie, Florida, collectively, to meet the eligibility requirements for loans and loan guarantees under section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb).

1 microcredit and microenterprise programs) to create
2 or restore sustainable livelihoods among individuals
3 in the communities, particularly individuals caring
4 for orphaned children.

5 SEC. 729. Notwithstanding any other provision of
6 law, the Natural Resources Conservation Service shall pro-
7 vide financial and technical assistance to the DuPage
8 County, Illinois, Kress Creek Water Quality Enhancement
9 Project, from funds available for the Watershed and Flood
10 Prevention Operations program, not to exceed \$1,000,000
11 and Rockhouse Creek Watershed, Leslie County, Ken-
12 tucky, not to exceed \$1,000,000.

13 SEC. 730. Notwithstanding any other provision of
14 law, the Natural Resources Conservation Service may pro-
15 vide financial and technical assistance through the Water-
16 shed and Flood Prevention Operations program for the
17 Kuhn Bayou project in Arkansas, the Matanuska River
18 erosion control project in Alaska, the DuPage County wa-
19 tershed project in Illinois, and the Coal Creek project in
20 Utah.

21 SEC. 731. None of the funds made available in this
22 Act may be transferred to any department, agency, or in-
23 strumentality of the United States Government, except
24 pursuant to a transfer made by, or transfer authority pro-
25 vided in, this or any other appropriation Act.

1 SEC. 732. Notwithstanding any other provision of
2 law, of the funds made available in this Act for competitive
3 research grants (7 U.S.C. 450i(b)), the Secretary may use
4 up to 20 percent of the amount provided to carry out a
5 competitive grants program under the same terms and
6 conditions as those provided in section 401 of the Agricul-
7 tural Research, Extension, and Education Reform Act of
8 1998 (7 U.S.C. 7621).

9 SEC. 733. None of the funds appropriated or made
10 available by this or any other Act may be used to pay
11 the salaries and expenses of personnel to carry out section
12 14(h)(1) of the Watershed Protection and Flood Preven-
13 tion Act (16 U.S.C. 1012(h)(1)).

14 SEC. 734. None of the funds made available to the
15 Food and Drug Administration by this Act shall be used
16 to close or relocate, or to plan to close or relocate, the
17 Food and Drug Administration Division of Pharma-
18 ceutical Analysis in St. Louis, Missouri, outside the city
19 or county limits of St. Louis, Missouri.

20 SEC. 735. None of the funds appropriated or made
21 available by this or any other Act may be used to pay
22 the salaries and expenses of personnel to carry out subtitle
23 I of the Consolidated Farm and Rural Development Act
24 (7 U.S.C. 2009dd through dd-7).

1 SEC. 736. Agencies and offices of the Department of
2 Agriculture may utilize any unobligated salaries and ex-
3 penses funds to reimburse the Office of the General Coun-
4 sel for salaries and expenses of personnel, and for other
5 related expenses, incurred in representing such agencies
6 and offices in the resolution of complaints by employees
7 or applicants for employment, and in cases and other mat-
8 ters pending before the Equal Employment Opportunity
9 Commission, the Federal Labor Relations Authority, or
10 the Merit Systems Protection Board with the prior ap-
11 proval of the Committees on Appropriations of both
12 Houses of Congress.

13 SEC. 737. None of the funds appropriated or made
14 available by this or any other Act may be used to pay
15 the salaries and expenses of personnel to carry out section
16 6405 of Public Law 107-171 (7 U.S.C. 2655).

17 SEC. 738. The Agricultural Marketing Service and
18 the Grain Inspection, Packers and Stockyards Administra-
19 tion, that have statutory authority to purchase interest
20 bearing investments outside of the Treasury, are not re-
21 quired to establish obligations and outlays for those invest-
22 ments, provided those investments are insured by the Fed-
23 eral Deposit Insurance Corporation or are collateralized
24 at the Federal Reserve with securities approved by the

1 Federal Reserve, operating under the guidelines of the
2 United States Department of the Treasury.

3 SEC. 739. Of the funds made available under section
4 27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2011 et
5 seq.), the Secretary may use up to \$10,000,000 for costs
6 associated with the distribution of commodities.

7 SEC. 740. None of the funds appropriated or other-
8 wise made available by this or any other Act shall be used
9 to pay the salaries and expenses of personnel to enroll in
10 excess of 154,500 acres in the calendar year 2005 wet-
11 lands reserve program as authorized by 16 U.S.C. 3837.

12 SEC. 741. None of the funds appropriated or other-
13 wise made available by this or any other Act shall be used
14 to pay the salaries and expenses of personnel who carry
15 out an environmental quality incentives program author-
16 ized by chapter 4 of subtitle D of title XII of the Food
17 Security Act of 1985 (16 U.S.C. 3839aa et seq.) in excess
18 of \$1,017,000,000.

19 SEC. 742. Hereafter, the Secretary of Agriculture is
20 authorized to permit employees of the United States De-
21 partment of Agriculture to carry and use firearms for per-
22 sonal protection while conducting field work in remote lo-
23 cations in the performance of their official duties.

24 SEC. 743. None of the funds appropriated or other-
25 wise made available by this or any other Act shall be used

1 to pay the salaries and expenses of personnel to expend
2 the \$23,000,000 made available by section 9006(f) of the
3 Farm Security and Rural Investment Act of 2002 (7
4 U.S.C. 8106(f)).

5 SEC. 744. With the exception of funds provided in
6 fiscal year 2003, none of the funds appropriated or other-
7 wise made available by this or any other Act shall be used
8 to pay the salaries and expenses of personnel to expend
9 the \$40,000,000 made available by section 601(j)(1)(A)
10 of the Rural Electrification Act of 1936 (7 U.S.C.
11 950bb(j)(1)(A)).

12 SEC. 745. None of the funds made available in fiscal
13 year 2005 or preceding fiscal years for programs author-
14 ized under the Agricultural Trade Development and As-
15 sistance Act of 1954 (7 U.S.C. 1691 et seq.) in excess
16 of \$20,000,000 shall be used to reimburse the Commodity
17 Credit Corporation for the release of eligible commodities
18 under section 302(f)(2)(A) of the Bill Emerson Humani-
19 tarian Trust Act (7 U.S.C. 1736f-1): *Provided*, That any
20 such funds made available to reimburse the Commodity
21 Credit Corporation shall only be used pursuant to section
22 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust
23 Act.

24 SEC. 746. None of the funds appropriated or other-
25 wise made available by this or any other Act shall be used

1 to pay the salaries and expenses of personnel to expend
2 the \$80,000,000 made available by section 6401(a) of
3 Public Law 107-171.

4 SEC. 747. Notwithstanding subsections (c) and (e)(2)
5 of section 313A of the Rural Electrification Act (7 U.S.C.
6 940c(c) and (e)(2)) in implementing section 313A of that
7 Act, the Secretary shall, with the consent of the lender,
8 structure the schedule for payment of the annual fee, not
9 to exceed an average of 30 basis points per year for the
10 term of the loan, to ensure that sufficient funds are avail-
11 able to pay the subsidy costs for note guarantees under
12 that section.

13 SEC. 748. Notwithstanding any other provision of
14 law, the Natural Resources Conservation Service may pro-
15 vide from appropriated funds financial and technical as-
16 sistance to the Dry Creek project, Utah.

17 SEC. 749. None of the funds appropriated or other-
18 wise made available by this or any other Act shall be used
19 to pay the salaries and expenses of personnel to carry out
20 a Conservation Security Program authorized by 16 U.S.C.
21 3838, et seq., in excess of \$_____.

(202,411,000

22 SEC. 750. None of the funds appropriated or other-
23 wise made available by this or any other Act shall be used
24 to pay the salaries and expenses of personnel to carry out

1 section 2502 of Public Law 107-171 in excess of
2 \$47,000,000.

3 SEC. 751. None of the funds appropriated or other-
4 wise made available by this or any other Act shall be used
5 to pay the salaries and expenses of personnel to carry out
6 section 2503 of Public Law 107-171 in excess of
7 \$112,000,000.

8 SEC. 752. The Secretary of Agriculture shall use
9 ~~\$1,000,000~~ of the funds of the Commodity Credit Cor-
10 poration, to remain available until expended, to com-
11 pensate commercial citrus and lime growers in the State
12 of Florida for tree replacement and for lost production
13 with respect to trees removed to control citrus canker, and
14 with respect to certified citrus nursery stocks within the
15 citrus canker quarantine areas, as determined by the Sec-
16 retary. For a grower to receive assistance for a tree under
17 this section, the tree must have been removed after Sep-
18 tember 30, 2001.

19 SEC. 753. Not more than \$10,000,000 for fiscal year
20 2005 of the funds appropriated or otherwise made avail-
21 able by this or any other Act shall be used to carry out
22 Section 6029 of Public Law 107-171, ~~of the Farm Secu-~~

23 ~~rity and Rural Investment Act of 2002.~~

\$30,000,000

1 SEC. 754. None of the funds appropriated or other-
2 wise made available in this Act shall be expended to violate
3 Public Law 105–264.

4 SEC. 755. None of the funds appropriated or other-
5 wise made available by this or any other Act shall be used
6 to pay the salaries and expenses of personnel to carry out
7 a ground and surface water conservation program author-
8 ized by section 2301 of Public Law 107–171 in excess of
9 \$51,000,000.

10 SEC. 756. None of the funds made available by this
11 Act may be used to issue a final rule in furtherance of,
12 or otherwise implement, the proposed rule on cost-sharing
13 for animal and plant health emergency programs of the
14 Animal and Plant Health Inspection Service published on
15 July 8, 2003 (Docket No. 02–062–1; 68 Fed. Reg.
16 40541).

17 SEC. 757. None of the funds made available in this
18 Act may be used to study, complete a study of, or enter
19 into a contract with a private party to carry out, without
20 specific authorization in a subsequent Act of Congress; a
21 competitive sourcing activity of the Secretary of Agri-
22 culture, including support personnel of the Department of
23 Agriculture, relating to rural development or farm loan
24 programs.

1 SEC. 758. Notwithstanding any other provision of
2 law, the Secretary of Agriculture may use appropriations
3 available to the Secretary for activities authorized under
4 sections 426–426c of title 7, United States Code, under
5 this or any other Act, to enter into cooperative agree-
6 ments, with a State, political subdivision, or agency there-
7 of, a public or private agency, organization, or any other
8 person, to lease aircraft if the Secretary determines that
9 the objectives of the agreement will: (1) serve a mutual
10 interest of the parties to the agreement in carrying out
11 the programs administered by the Animal and Plant
12 Health Inspection Service, Wildlife Services; and (2) all
13 parties will contribute resources to the accomplishment of
14 these objectives; award of a cooperative agreement author-
15 ized by the Secretary may be made for an initial term not
16 to exceed 5 years.

17 SEC. 759. There is hereby appropriated \$1,491,000,
18 to remain available until September 30, 2006, to carry out
19 section 6028 of Public Law 107–171: *Provided*, That not-
20 withstanding section 383B(g)(1) of the Consolidated
21 Farm and Rural Development Act (7 U.S.C. 2009bb–
22 1(g)(1)), the Federal share of the administrative expenses
23 of the Northern Great Plains Regional Authority for fiscal
24 year 2005 shall be 100 percent.

1 SEC. 760. None of the funds appropriated or other-
2 wise made available by this or any other Act shall be used
3 to pay the salaries and expenses of personnel to carry out
4 section 9010 of Public Law 107–171 in excess of
5 \$100,000,000.

6 SEC. 761. (a) The matter under the heading “Rural
7 Community Advancement Program” in division A—Agri-
8 culture, Rural Development, Food and Drug Administra-
9 tion, and Related Agencies Programs Appropriations,
10 2004, title III—Rural Development Programs, in Public
11 Law 108–199 is amended by striking “\$1,750,000 shall
12 be for grants to the Delta Regional Authority (7 U.S.C.
13 1921 et seq.); and not less than \$2,000,000 shall be avail-
14 able for grants in accordance with section 310B(f) of the
15 Consolidated Farm and Rural Development Act” and in-
16 serting “and not less than \$2,000,000 shall be available
17 for grants in accordance with section 310B(f) of the Con-
18 solidated Farm and Rural Development Act: *Provided fur-*
19 *ther*, That of the total amount appropriated in this ac-
20 count, \$1,750,000 shall be for grants to the Delta Re-
21 gional Authority (7 U.S.C. 1921 et seq.) for any Rural
22 Community Advancement Program purpose”.

23 (b) Consistent with any legal commitments made by
24 the Delta Regional Authority, at the request of the Au-
25 thority and if the Secretary of Agriculture agrees, the Sec-

1 retary may deobligate any unexpended Rural Community
2 Advancement Program grant funds made to the Authority
3 pursuant to Division A of Public Law 108-7: *Provided*,
4 That such reobligated funds are used by the Authority for
5 projects that are consistent with the purposes of the Rural
6 Housing Service Community Facilities Program.

7 SEC. 762. Of the unobligated balances available in
8 the Rural Housing Assistance Grant Program account,
9 \$1,000,000 is hereby rescinded.

10 SEC. 763. Agencies and offices of the Department of
11 Agriculture may utilize any available discretionary funds
12 to cover the costs of preparing, or contracting for the
13 preparation of, final agency decisions regarding com-
14 plaints of discrimination in employment or program activi-
15 ties arising within such agencies and offices.

16 SEC. 764. Of the unobligated balances available in
17 the Rural Housing Insurance Fund Program account,
18 \$3,000,000 is hereby rescinded.

19 SEC. 765. Notwithstanding any other provision of
20 law, for any fiscal year and hereafter, in the case of a
21 high cost isolated rural area in Alaska that is not con-
22 nected to a road system, the maximum level for the single
23 family housing assistance shall be 150 percent of the aver-
24 age income level in the metropolitan areas of the State
25 and 115 percent of all other eligible areas of the State.

1 SEC. 766. Funds made available under section 1240I
 2 and section 1241(a) of the Food Security Act of 1985 in
 3 fiscal years 2002, 2003, 2004, and 2005 shall remain
 4 available until expended to cover obligations made in fiscal
 5 years 2002, 2003, 2004, and 2005, respectively. ~~Provided,~~

6 ~~That unobligated funds that are available at the end of~~
 7 ~~each fiscal year are returned to the Treasury.~~

and are
 not available
 for new
 obligations.

8 SEC. 767. There is hereby appropriated \$1,500,000,
 9 to remain available until expended, for the Denali Com-
 10 mission to address deficiencies in solid waste disposal sites
 11 which threaten to contaminate rural drinking water sup-
 12 plies.

13 SEC. 768. Notwithstanding any other provision of
 14 law—

15 (1)(A) the Alaska Department of Community
 16 and Economic Development shall be eligible to re-
 17 ceive a water and waste disposal grant under section
 18 306(a) of the Consolidated Farm and Rural Devel-
 19 opment Act (7 U.S.C. 1926(a)) in an amount that
 20 is equal to not more than 75 percent of the total
 21 cost of providing water and sewer service to the pro-
 22 posed hospital in the Matanuska-Susitna Borough,
 23 Alaska; and

24 (B) the Alaska Department of Community and
 25 Economic Development shall be allowed to pass the

1 grant funds through to the local government entity
2 that will provide water and sewer service to the hos-
3 pital;

4 (2) or any percentage of cost limitation in cur-
5 rent law or regulations, the construction projects
6 known as the Tri-Valley Community Center addition
7 in Healy, Alaska; the Cold Climate Housing Re-
8 search Center in Fairbanks, Alaska; and the Univer-
9 sity of Alaska-Fairbanks Allied Health Learning
10 Center skill labs/classrooms shall be eligible to re-
11 ceive Community Facilities grants in amounts that
12 are equal to not more than 75 percent of the total
13 facility costs: *Provided*, That for the purposes of this
14 ~~section~~, the Cold Climate Housing Research Center
15 is designated an "essential community facility" for
16 rural Alaska;

17 (3) the Secretary shall consider the City of
18 Guymon, Oklahoma; the City of Shawnee, Okla-
19 homa; the Village of New Miami, Ohio; and the City
20 of Altus, Oklahoma, to be eligible for loans and
21 grants provided through the Rural Housing Insur-
22 ance Fund until receipt of the decennial Census in
23 ~~the year 2010;~~

24 (4) the City of Great Falls, Montana, shall be
25 considered a rural area for purposes of eligibility for

aragraph)

(the
city of
Vicksburg,
Mississippi)

Insert
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(4) grants made under section 306(a)(19) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(19)) using funds made available under this Act for the cities of Ellisville and Waynesboro, Mississippi, shall be made without a non-Federal cost share requirement;

1 business and industry guaranteed loans under sec-
2 tion 310B(a)(1) of the Consolidated Farm and
3 Rural Development Act (7 U.S.C. 1932(a)(1)) until
4 receipt of the decennial Census in the year 2010;

5 (5) the Secretary may consider the Piedmont
6 Municipal Power Agency of South Carolina eligible
7 to participate in programs administered by the
8 Rural Utilities Service until receipt of the decennial
9 Census in the year 2010; and

10 (6) until receipt of the decennial Census for the
11 year 2010, for all activities under programs of the
12 Rural Development Mission Area within the County
13 of Honolulu, Hawaii, the Secretary may designate
14 any portion of the county as a rural area or eligible
15 rural community that the Secretary determines is
16 not urban in character: *Provided*, That the Secretary
17 shall not include in any such rural area or eligible
18 rural community any area included in the Honolulu
19 Census Designated Place as determined by the Sec-
20 retary of Commerce.

21 SEC. 769. Section 501 of the Agricultural Trade De-
22 velopment and Assistance Act of 1954 (7 U.S.C. 1737)
23 is amended—

24 (1) in subsection (b)(1), by inserting “and
25 Doug Bereuter” after “John Ogonowski”; and

1 (2) in the heading, by inserting “**AND DOUG**
2 **BEREUTER**” after “**JOHN OGONOWSKI**”.

3 SEC. 770. Notwithstanding the provisions of the Con-
4 solidated Farm and Rural Development Act (including the
5 associated regulations) governing the Community Facili-
6 ties Program, the Secretary may allow all Community Fa-
7 cility Program facility borrowers and grantees to enter
8 into contracts with not-for-profit third parties for services
9 consistent with the requirements of the Program, grant,
10 and/or loan: *Provided*, That the contracts protect the in-
11 terests of the Government regarding cost, liability, mainte-
12 nance, and administrative fees.

13 SEC. 771. Notwithstanding any other provision of
14 law, the Secretary of Agriculture is authorized to make
15 funding and other assistance available through the emer-
16 gency watershed protection program under section 403 of
17 the Agricultural Credit Act of 1978 (16 U.S.C. 2203) to
18 repair and prevent damage to non-Federal land in water-
19 sheds that have been impaired by fires initiated by the
20 Federal Government and shall waive cost sharing require-
21 ments for the funding and assistance.

22 SEC. 772. None of the funds made available in this
23 Act may be used to provide credits or credit guarantees
24 for agricultural commodities provided for use in Iraq in

1 violation of subsection (e) or (f) of section 202 of the Agri-
2 cultural Trade Act of 1978 (7 U.S.C. 5622).

3 SEC. 773. None of the funds provided in this Act may
4 be used for salaries and expenses to carry out any regula-
5 tion or rule insofar as it would make ineligible for enroll-
6 ment in the conservation reserve program established
7 under subchapter B of chapter 1 of subtitle D of title XII
8 of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.)
9 land that is planted to hardwood trees as of the date of
10 enactment of this Act and was enrolled in the conservation
11 reserve program under a contract that expired prior to cal-
12 endar year 2002.

13 SEC. 774. None of the funds made available in this
14 Act may be used to restrict to prescription use a contra-
15 ceptive that is determined to be safe and effective for use
16 without the supervision of a practitioner licensed by law
17 to administer prescription drugs under section 503(b) of
18 the Federal Food, Drug, and Cosmetic Act.

19 SEC. 775. Of the unobligated balances in the Local
20 Television Loan Guarantee Program account,

21 ~~\$80,000,000~~ are hereby rescinded.

22 SEC. 776. PRIVACY PROTECTION OF CERTAIN SELL-
23 ERS OF FARM PRODUCTS. Section 1324(c) of the Food
24 Security Act of 1985 (7 U.S.C. 1631(c)) is amended—

25 (1) in subsection (c)—

1 (A) in paragraph (2)(C)(ii)(II), by insert-
2 ing “, or other approved unique identifier,”
3 after both “social security number” and “iden-
4 tification number”;

5 (B) in paragraph (4)(C)(iii), by inserting
6 “, or other approved unique identifier,” after
7 both “social security number” and “identifica-
8 tion number”; and

9 (C) by adding the following at the end:

10 “(5) The term ‘approved unique identifier’
11 means a number, combination of numbers and let-
12 ters, or other identifier selected by the Secretary of
13 State using a selection system or method approved
14 by the Secretary of Agriculture.”

15 (2) in subsection (e)(1)(A)(ii)(III), by inserting
16 “, or other approved unique identifier,” after both
17 “social security number” and “identification num-
18 ber”; and

19 (3) in subsection (g)(2)(A)(ii)(III), by inserting
20 “, or other approved unique identifier,” after both
21 “social security number” and “identification num-
22 ber”.

23 SEC. 777. Section 532 of the Equity in Educational
24 Land Grant Status Act of 1994 (7 U.S.C. 301 note; Pub-
25 lic Law 193-382) is amended—

1 (1) by redesignating paragraphs (23) through
2 (32) as paragraphs (24) through (33), respectively;
3 and

4 (2) by inserting after paragraph (22) the fol-
5 lowing: “(23) Tohono O’odham Community Col-
6 lege.”.

7 SEC. 778. Of the unobligated balances of funds in
8 the Agricultural Conservation Program account,
9 \$3,500,000 are hereby rescinded.

10 SEC. 779. Notwithstanding any other provision of
11 law, the amounts made available to the Dakota Value Cap-
12 ture Cooperative under section 747 of the Agriculture,
13 Rural Development, Food and Drug Administration, and
14 Related Agencies Appropriations Act, 2002 (Public Law
15 107-76; 115 Stat. 738) shall remain available until ex-
16 pended for a project conducted by the Dakota Value Cap-
17 ture Cooperative at South Dakota State University.

18 SEC. 780. None of the funds made available under
19 this Act shall be available to pay the administrative ex-
20 penses of a State agency that, after the date of enactment
21 of this Act, authorizes any new for-profit vendor(s) to
22 transact food instruments under the Special Supplemental
23 Nutrition Program for Women, Infants, and Children if
24 it is expected that more than 50 percent of the annual
25 revenue of the vendor from the sale of food items will be

1 derived from the sale of supplemental foods that are ob-
2 tained with WIC food instruments, except that the Sec-
3 retary may approve the authorization of such a vendor if
4 the approval is necessary to assure participant access to
5 program benefits.

6 SEC. 781. Of the unobligated balances under section
7 32 of the Act of August 24, 1935, \$163,000,000 are here-
8 by rescinded.

9 SEC. 782. Of the unobligated balances available to
10 the Foreign Agricultural Service for the Public Law 480
11 Title I Program at the beginning of fiscal year 2005,
12 ~~\$174,000,000~~ are hereby rescinded: *Provided*, That for
13 purposes of determining the amount of funds available for
14 transfer under section 412(b) of Public Law 83-480, as
15 amended, the maximum amount of funds available for
16 transfer shall be calculated based upon the total funds
17 available prior to this rescission.

18 SEC. 783. The Secretary of Agriculture may use any
19 unobligated carryover funds made available for any pro-
20 gram administered by the Rural Utilities Service (not in-
21 cluding funds made available under the heading "Rural
22 Community Advancement Program" in any Act of appro-
23 priation) to carry out section 315 of the Rural Electrifica-
24 tion Act of 1936 (7 U.S.C. 940e).

\$191,108,000

1 SEC. 784. None of the funds made available by this
2 or any other Act may be used to reduce the mission, re-
3 sources, staffing, facilities, or capabilities of the Wildlife
4 Habitat Management Institute in Mississippi as in exist-
5 ence on December 17, 2003.

6 SEC. 785. LIVESTOCK ASSISTANCE. (a) IN GEN-
7 ERAL.—In carrying out a livestock assistance, compensa-
8 tion, or feed program, the Secretary of Agriculture shall
9 include elk, reindeer, and bison within the definition of
10 “livestock” covered by the program.

11 (b) CONFORMING AMENDMENTS.—

12 (1) Section 602(2) of the Agricultural Act of
13 1949 (7 U.S.C. 1471(2)) is amended by inserting
14 “elk, reindeer, bison,” after “cattle,”.

15 (2) Section 10104 of the Farm Security and
16 Rural Investment Act of 2002 (7 U.S.C. 1472) is
17 amended—

18 (A) by redesignating subsections (a)
19 through (d) as subsections (b) through (e), re-
20 spectively; and

21 (B) by inserting before subsection (b) (as
22 so redesignated) the following:

23 “(a) DEFINITION OF LIVESTOCK.—In this section,
24 the term ‘livestock’ includes elk, reindeer, and bison.”.

1 (3) Section 203(d) of the Agricultural Assist-
2 ance Act of 2003 (Public Law 108-7; 117 Stat.
3 541) is amended—

4 (A) by redesignating paragraph (2) as
5 paragraph (3); and

6 (B) by inserting after paragraph (1) the
7 following:

8 “(2) LIVESTOCK.—The term ‘livestock’ includes
9 elk, reindeer, and bison.”.

10 SEC. 786. There is hereby appropriated \$1,000,000,
11 to remain available until expended, to carry out provisions
12 of Section 751 of Division A of Public Law 108-7.

13 SEC. 787. There is hereby appropriated \$500,000 for
14 a grant to Alaska Village Initiatives for the purpose of
15 administering a private lands wildlife management pro-
16 gram in Alaska.

17 SEC. 788. TECHNICAL CORRECTIONS. (a) Section
18 104(b)(1) of the Child Nutrition and WIC Reauthoriza-
19 tion Act of 2004 (Public Law 108-265) is amended by
20 striking the closing quotation marks and the following pe-
21 riod at the end of section 9(b)(5)(A)(iv) of the Richard
22 B. Russell National School Lunch Act (as added by that
23 section 104(b)(1) of Public Law 108-265).

24 (b) Section 13(a)(10) of the Richard B. Russell Na-
25 tional School Lunch Act (42 U.S.C. 1761(a)(10)) (as

1 added by section 116(d) of Public Law 108-265) is
2 amended—

3 (1) in subparagraph (C), by striking “2005”
4 and inserting “2006”; and

5 (2) in subparagraph (D)—

6 (A) in clause (i), by striking “2007” and
7 inserting “2008”; and

8 (B) in clause (ii), by striking “2008” and
9 inserting “2009”.

10 ~~(c) Effective October 1, 2004, section 17(i)(2) of the~~
11 ~~Richard B. Russell National School Lunch Act (42 U.S.C.~~
12 ~~1766(i)(2)) is amended—~~

13 ~~(1) by striking “The Secretary” and inserting~~
14 ~~the following:~~

15 ~~“(A) IN GENERAL.—The Secretary”, and~~

16 ~~(2) by adding at the end the following:~~

17 ~~“(B) REALLOCATION.—The Secretary may~~
18 ~~reallocate audit funds to States administering~~
19 ~~the child and adult food care program for the~~
20 ~~purpose of conducting audits of participating~~
21 ~~institutions.”~~

(c) 22 ~~(d)~~ Section 21(e)(2)(A) of the Richard B. Russell Na-
23 tional School Lunch Act (42 U.S.C. 1769b-1(e)(2)(A)) (as
24 amended by section 125(c)(2)(B) of Public Law 108-265)
25 is amended by inserting “and” after “2005”.

(d)) 1 (e) Section 17(f)(1)(C)(i) of the Child Nutrition Act
2 of 1966 (42 U.S.C. 1786(f)(1)(C)(i) (as amended by sec-
3 tion 203(e)(10)(B) of Public Law 108-265) is amended
4 by striking the period after "subsection (h)(11)".

(e)) 5 (f) Section 17(h)(8)(A)(vi) of the Child Nutrition Act
6 of 1966 (42 U.S.C. 1786(h)(8)(A)(vi) (as added by section
7 203(e)(5) of Public Law 108-265) is amended by striking
8 "Each State" and inserting "Effective beginning October
9 1, 2004, each State".

(f)) 10 (g) Section 502(b) of the Child Nutrition and WIC
11 Reauthorization Act of 2004 (P.L. 108-265) is amend-
12 ed—

13 (1) in paragraph (2), by striking "203(e)(5),";
14 and

15 (2) in paragraph (4), by striking "104" and in-
16 serting "104 (other than section 104(a)(1))".

17 SEC. 789. ~~In section 101(c)(3) of the Emergency~~
18 ~~Supplemental Appropriations for Hurricane Disasters As-~~
19 ~~sistance Act, 2005, Public Law 108-324, strike "under~~
20 ~~this section" and insert "under this subsection".~~

21 SEC. 790. There is hereby appropriated \$1,000,000,
22 to remain available until expended, for a grant to the Ohio
23 Livestock Expo Center in Springfield, Ohio.

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Section 104 of Chapter 1 of the Emergency Supplemental Appropriations for Hurricane Disasters Assistance Act, 2005, Public Law 108-324, is amended by adding "and tropical storms" after "hurricanes".

1 SEC. 791. There is hereby appropriated \$1,000,000,
2 to remain available until expended, for a grant to the Vir-
3 ginia Horse Center in Lexington, Virginia.

4 SEC. 792. Notwithstanding any other provision of
5 law, unobligated funding balances in the Great Plains
6 Conservation Program authorized under section 16(b) of
7 the Soil Conservation and Domestic Allotment Act (16
8 U.S.C. 590p(b)); the Forestry Incentives Program author-
9 ized by Section 4 and Section 6 of the Cooperative For-
10 estry Assistance Act of 1978 (16 U.S.C. 2103); The Water
11 Bank Program authorized by The Water Bank Act of
12 1970 (Public Law 91-559); and funding for the John's
13 Creek, TN Watershed and Flood Prevention Operations
14 project is hereby rescinded.

are } 15 SEC. 793. There is hereby appropriated \$2,250,000,
16 to remain available until expended, for a grant to the Wis-
17 consin Federation of Cooperatives for a pilot Wisconsin-
18 Minnesota health care cooperative purchasing alliance. (S

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1 **SEC. 7** [^]. (a) *Section 1240B of the Food*
2 *Security Act of 1985, 16 U.S.C. 3839 aa-2, is*
3 *amended at the end by adding the following:*
4 **“(h) FUNDING FOR FEDERALLY RECOGNIZED**
5 **NATIVE AMERICAN INDIAN TRIBES AND ALASKA**
6 **NATIVE CORPORATIONS.—***The Secretary may*
7 *enter into alternative funding arrangements*
8 *with federally recognized Native American In-*
9 *dian Tribes and Alaska Native Corporations*
10 *(including their affiliated membership organi-*
11 *zations) if the Secretary determines that the*
12 *goals and objectives of the program will be met*
13 *by such arrangements, and that statutory limi-*
14 *tations regarding contracts with individual*
15 *producers as defined under this Subtitle will*
16 *not be exceeded by any Tribal or Native Cor-*
17 *poration member.”.*

18 (b) *Section 1240G of the Food Security Act*
19 *of 1985, 16 U.S.C. 3839aa-7, is amended by in-*
20 *serting after 2007, “(excluding funding ar-*
21 *rangements with federally recognized Native*
22 *American Indian Tribes or Alaska Native Cor-*
23 *porations under section 1240B(h))”.*

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SEC. _____ There is hereby appropriated \$6,000,000, to remain available until expended, for a grant to the Florida Department of Citrus.

796 } SEC. _____. Notwithstanding any other provision of law, effective with funds made available in fiscal year 2004 to states administering the Child and Adult Care Food Program, for the purpose of conducting audits of participating institutions, funds identified by the Secretary as having been unused during the initial fiscal year of availability may be recovered and reallocated by the Secretary: *Provided*, That states may use the reallocated funds until expended for the purpose of conducting audits of participating institutions.

SEC. 797. Section 1238Q of the Food Security Act of 1985 is amended--

(a) in subsection (a), by striking “permit” and inserting “transfer title of ownership to an easement under this subchapter to”; and

(b) by striking subsection (d) and inserting the following new subsection:

“(d) TRANSFER OF TITLE OF OWNERSHIP OF EASEMENT.—
Reversion--If a private organization or state agency holding an easement on land under this subchapter dissolves or fails to enforce the terms of the easement, the easement shall revert to the Secretary.”

105 103

division 1 This Act may be cited as the "Agriculture, Rural De-
2 velopment, Food and Drug Administration, and Related
3 Agencies Appropriations Act, 2005".